

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
September 10, 2012

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

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

INSTRUCTIONS: Chairman Daniels called the public meeting to order at 5:40 p.m. after a non-public session was adjourned. Chairman Daniels introduced Board members and then led the audience in the Pledge of Allegiance. 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. Chairman Daniels announced that in non-public session a Personnel issue was discussed.

2. APPOINTMENTS:

5:30 p.m. – Execution of MS-1 and Consideration of Elderly Exemption Parameters Discussion. Marti Noel, Town Assessor, presented the MS-1 information. There were questions from the Board on Item 21 of the MS-1, which was explained by Ms. Noel. Selectman Putnam moved to execute the MS-1 as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0. This year Ms. Noel reviewed the elderly exemption process, looking more in depth at the numbers. Information was pulled from Federal, State and Local websites. The median income in Milford is \$71,190, which has been going down in this economy. Of the 13 communities Ms. Noel surveyed, Milford is in good shape with the asset limitation of \$5,000. This year we are good, we just need to keep an eye on this exemption. Chairman Daniels asked if the Elderly Exemption figures provided tonight include the change made to the requirements in March. Ms. Noel said they do and she recommends that they stay at the same level for 2012. Ms. Noel felt like she could not answer a lot of the questions brought up by the Board previously, so she went through this analysis to be prepared for any questions. Guy Scaife indicated the information is informative and that Ms. Noel did extensive research, doing spreadsheets with Jack and Guy and then fine tuning the information. The information was analyzed and the logic backs up the figures for the elderly exemption; previously there was really nothing supporting it.

5:45 p.m. – Departmental Update – Recreation. Recreation Director Nicole Banks provided an update for the Recreation Department, including that they run approximately 85 programs annually plus they hold approximately 16 events during the year. The parks have a zero tolerance policy, which is being recognized by the town's insurance carrier Primex. Ms. Banks plans to meet with Chief Viola to make the policy even more effective. Security cameras have been talked about for some time, the first one will be installed at Keyes Park soon to help with vandalism. On-line registration for programs began in February 2012 and has been successful. Chairman Daniels thanked Ms. Banks for the presentation and asked for questions from the Board.

Vice Chairman Finan asked about the Shepard Park equipment shed, he said there is one there now, is that a loaner? Ms. Banks responded that was a loan for one year but Recreation still has use of it now. Vice Chairman Finan asked if that existing shed could be expanded. Ms. Banks said it could. Selectman Bauer said that Milford is lucky to have a Recreation Commission that has a Revolving Fund, not every community has that. Chairman Daniels asked for the status on the skate park. Ms. Banks indicated there was a group called the Riders that were mostly the users of the skate park who kept it clean, but they are not currently as active. At first they were charged with getting some improvements for safety. Some of the kids were treated to a pizza party this summer by the Park Ranger, but that area is currently in need of maintenance. Ms. Banks will be looking into that and might be looking to those users again, but it has been a pretty good group. Chairman Daniels asked if Recreation works with the Historical Society or Heritage Commission to offer trips or excursions that highlight Milford's history. Ms. Banks responded that they have worked with them for the senior citizens, holding walks through the parks or the oval and the seniors received that well. It was good to have the Historical Society come in to present that information. Ms. Banks is looking to put a walk together to visit the historical areas of Milford. Chairman Daniels asked if that could be used to promote tourism in Milford. Ms. Banks feels that could be part of the offerings on the town website.

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1 **6:15 p.m. – Osgood Pond Update.** Bill Parker, Community Development Director, and Fred Elkind, Stormwater
2 Management Coordinator, provided an Osgood Pond update, which Fred Elkind has spearheaded. An alternate to
3 the Army Corps of Engineers plan has been identified. Mr. Elkind has talked with DES and Fish & Game about a
4 limited dredging process. Mr. Elkind indicated that the pond has been studied for about 30 years with several good
5 plans for creating the use demands of the public. The most recent was through the Army Corps of Engineers who
6 looked at several options, including dredging 15 acres or 12 acres. The costs were significant. Mr. Elkind has had
7 an opportunity to look at it and try to come up with something that would meet the public's demands, but be more
8 cost effective. There is an area for possible dredging of about five acres. The five acre area would be sufficient.
9 This is the smallest area of dredging that would provide something useful for a fish canopy and it was found that
10 five acres would provide that as long as the depth is sufficient. That might create a sufficient warm water fishery.
11 Fish & Game identified they would like to develop fishing areas for young people. We have the concept now to
12 provide that in Milford. Mr. Elkind also recognizes that Adams Field could be developed into a picnic area with
13 minor clearing of old trees and brush that could be removed. This could be done in a short timeframe and would
14 entail about half of the dredging of what was originally planned. We could get this done using mechanical devices.
15 It might cost less than \$200,000. The town has some of that money available through the fund already established
16 for this effort. Mr. Elkind said this looks like something that is plausible. It could be permitted by this winter.
17

18 Mr. Elkind has had extensive discussions with DES. Some engineering will need to be done. We could get
19 an engineering firm on line to move forward. Bill Parker asked if the Board feels this idea is worth pursuing. We
20 would need to start spending some funds from the Osgood Pond Reserve Fund to get the engineering done and get
21 the RFP put out there. Chairman Daniels asked for questions from the Board. Vice Chairman Finan asked if Mil-
22 ford would need an Army Corps permit for this effort. Mr. Elkind said that is possible, but the Corps has permitting
23 authorization. Mr. Elkind is hoping to be able to work with them too. Chairman Daniels said if the Army Corps is
24 involved, might Milford be eligible for Federal money? Mr. Elkind responded that might be the case but does not
25 think they will want to be involved. A five acre project did not meet all of the Army Corps goals. Chairman Dan-
26 iels said we are looking at over \$100,000 of permit fees. Is this still subject to that with the smaller area? Mr.
27 Elkind indicated the fees might be reduced to \$10,000 or less. Mr. Elkind added that the reason is, we can minimize
28 the cost through DES. There were no further comments. Chairman Daniels thanked Mr. Elkind and Mr. Parker for
29 the update.
30

31 **6:45 p.m. – Interview of Zoning Board Full Membership Candidate – Bob Pichette.** Chairman Daniels indicat-
32 ed that Mr. Pichette is a candidate for a full member of the ZBA and asked Mr. Pichette to join the Board at the table
33 for this interview. Mr. Pichette indicated that he has attended a few ZBA meetings and he found them interesting.
34 His background is in Purchasing. Selectman Bauer thinks it is great to step up to be a full member and thinks Mr.
35 Pichette will do a great job. Chairman Daniels said there is a learning process, but the statutes provide guidance.
36 Chairman Daniels thanked Mr. Pichette for volunteering for this position. Selectman Fougere said there is a guide
37 book from the Office of Energy that provides a good background and is very helpful. Selectman Putnam moved to
38 appoint Mr. Pichette as a full member of the ZBA until March 31, 2015. Selectman Finan seconded. All were in
39 favor. Motion passed 5/0. It was noted that Mr. Pichette is needed for the September 20, 2012 ZBA meeting, there-
40 fore he should be sworn in before that date.
41

42 **6:50 p.m. – Interview of Milford Representative to NRPC Candidate - Chris Costantino.** Ms. Costantino indi-
43 cated that Milford needs more representation on the Nashua Regional Planning Commission (NRPC). It had been
44 put out there, but after nobody stepped forward for this position, Chris Costantino stepped forward. Ms. Costantino
45 is interested in sustainability and is taking a free on line course on such. Selectman Putnam moved to appoint Chris
46 Costantino as Milford's representative to the NRPC until March 31, 2015. Vice Chairman Finan seconded. All
47 were in favor. Motion passed 5/0.
48

49 **6:55 p.m. – Public Presentation – Tucker Brook Forest Timber Harvest Plan.** Audrey Fraizer, Conservation
50 Commission Chair, and Chris Costantino, Conservation Commission Coordinator, expressed the desire of the Con-
51 servation Commission to conduct a Tucker Brook Timber Harvest. Abutters have been notified of the forest plan.
52 Ms. Fraizer explained the forest plan was prepared in 2008 and access to the forest was recently granted by the own-
53 er of the access. The Conservation Commission is planning to move forward with the plan and hoping to complete
54 it in the next six months. Vice Chairman Finan asked if the town receives revenue from the timber. Ms. Fraizer
55 answered that it does, it goes into the Conservation Fund; we do not know how much revenue it will generate. This
56 is an emotional issue and the Conservation Commission wants to take out only the trees that are not of value to give
57 the other trees room to grow. Selectman Fougere asked if the Conservation Commission works with a forester. Ms.
58 Fraizer responded that the plan was written in 2008 by a forester and the next step would be to express what the

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1 goals are; there are several steps that need to be done. Selectman Fougere said this is nothing new. Chairman Daniels
2 asked how many town forests there are in Milford. Ms. Fraizer said there are five, this piece has not been for-
3 ested since the 70's because the access was the key because we do not want to cross the water to get to it.
4

5 Amy Kershner lives very near this area and feels that it should be looked at again, people from all over
6 town use the trails for all sorts of reasons. The letter from the Conservation Commission indicates that some trails
7 may be impacted and not usable. She thinks the trails should be left open for the public. Chairman Daniels under-
8 stood that the area to be logged has not been identified yet. Ms. Fraizer said they have not identified which parts
9 will be forested yet. The letter of recommendation was received and is being taken into consideration. There are
10 birch trees that are diseased and the Conservation Commission is trying to take the trails into consideration. The
11 trails will not be closed completely and a buffer will be maintained around the trails. No trees have been identified
12 to be taken yet. Bill Burdett stated that he had heard access to the forest for foresting would be via David Wheeler's
13 property and asked about how the trees will be dragged out. It seems like a long way to drag the trees and what is
14 the relationship with Mr. Wheeler? Chairman Daniels said it had not been forested before because there was no
15 access, but now they have been given permission for access to the forest. Chairman Daniels said it seems they do
16 not know yet what the length is to drag the trees out and the trees have not been marked yet. Ms. Fraizer said there
17 is no relationship at this time with Mr. Wheeler, but he does have the largest area for staging the logs. It would re-
18 duce the impact. The largest area we hope to look at is closest to his property but we do not know what trees will be
19 coming out. Some trees might be dragged out but they can also be limbed and only the trunk gets dragged, that has
20 not been worked out yet.
21

22 Chairman Daniels asked if the Conservation Commission could come back when the details are worked out
23 to present that information to the Board of Selectman. Ms. Fraizer said they are hoping to have that discussion this
24 week with the Conservation Commission, the public will be involved in the whole process, it will be handled simi-
25 larly to the Mont Vernon foresting that is going on. Meetings are open to the public every second Thursday of the
26 month. Chairman Daniels encouraged interested parties to attend those meetings and ask questions. Joe Micozzi
27 understands there will be a bridge involved to facilitate the moving of trees and asked what is the projected revenue
28 and where will it be applied. Also, it is an open bid, how is that accomplished? Chairman Daniels said that could
29 all be answered at the Conservation Commission meetings. Mr. Micozzi said he is here now and would like an-
30 swers. Ms. Fraizer said that no bridge will be on town property, and bids will be sent out. In the Conservation
31 Commission meeting minutes, Mr. Micozzi read that a bridge will be built on Mr. Wheeler's property but for pay-
32 ment he would receive wood left on his property, is that true? Ms. Fraizer said she is not comfortable answering
33 what Mr. Wheeler will do. We have no formal agreement with Mr. Wheeler and no decision on the trees has been
34 made on what will be removed. Selectman Fougere suggested that when this is all decided, and the public meetings
35 are held, these questions will be answered. Chairman Daniels agreed and asked if the Conservation Commission
36 could come back once those things are worked out, but the abutters that have questions should get them answered by
37 attending the Conservation Commission meetings. Mr. Micozzi asked who makes the final decision on whether or
38 not this goes forward. Vice Chairman Finan believes the Conservation Commission makes the decision. Chairman
39 Daniels said that tonight's presentation is only to inform the Board of Selectman of this effort. Guy Scaife said
40 when the Conservation Commission was formed by the voting public, one of their charges was to be the steward of
41 the town forests. The trails are a valuable asset to the town. If it were not for the Conservation Commission, the
42 town would not have the trails. They have developed trails or purchased the land for trails and maintained the trails.
43 They are the last group that would take away the trails. A key element of the objective is to grow the trail system.
44 There are plans to develop future trails to interconnect the existing trails. Chairman Daniels added that when the
45 voters designate an area as a town forest, it immediately goes over to the Conservation Commission to maintain the
46 land.
47

48 Amy Kershner said the reason for some of the concern is that in the Conservation Commission minutes, it
49 states that it is being done more for habitat restoration than trail preservation and she would like to see them get
50 equal attention.
51

52 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** There were no public comments.
53

54 **4. DECISIONS**

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56 a) **CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the
57 Consent Calendar. Item 4a2 was removed for discussion by Vice Chairman Finan and Item 4a3 was removed for

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discussion by Selectman Bauer. Selectman Fougere moved to accept the Consent Calendar as presented with the exception of Items 4a2 and 4a3. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

- (1) Request for Acceptance of Unanticipated Funds Under \$5,000 Per NH RSA 31:95(b). The listing of unanticipated funds under \$5,000 was presented and approved as follows:

Table with 3 columns: Source, Amount, Purpose. Rows include BAE Systems Employee Comm. Fund, Inc. and Cirtronics Corp.

- (2) Request for Recognition of Eagle Scout Candidate Ryan David Fitzgerald and Confirmation of Selectman Attendance at Court of Honor. The request for recognition of Eagle Scout Candidate was read to the audience by Vice Chairman Finan. Vice Chairman Finan moved to approve this request. Selectman Fougere seconded. All were in favor. Motion passed 5/0. Chairman Daniels noted that the award ceremony was moved to October 20, 2012 and that he plans to attend.

- (3) Request to Approve Volunteers for Community Facilities Committee Library Expansion Project. Selectman Bauer requested this item to be removed from the Consent Calendar in order to recognize that four members from the Community Facilities Committee have signed on to the Library Expansion project and she believes there are six additional members to follow. Selectman Bauer moved to appoint the four members that have stepped forward. Selectman Fougere seconded. All were in favor. Motion passed 5/0.

b) OTHER DECISIONS.

5. TOWN ADMINISTRATOR REPORT:

- a) 66 Elm Street Lot Update. Guy Scaife stated that this project is moving forward.
b) Miscellaneous. The oval has new additional motorcycle parking spaces (about 6-8 slots for motorcycles) that were able to be added in areas where there was enough space. The Railroad Pond dam repair work is complete, and the Hartshorn dam has another week of work. The Osgood Pond dam work is complete but the water level will remain down because of the discussions tonight regarding possible dredging options. Earlier this year, #6 fuel oil was detected on the Souhegan River; the cause is unknown, but the last report was that the source was trying to be located. There are steps being taken to prevent further contamination and to stop the seepage.

6. DISCUSSIONS.

7. SELECTMEN'S REPORTS / DISCUSSIONS.

- a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES. Selectman Fougere sent an e-mail regarding possibly postponing the start of the Ambulance Facility construction, a press release sent out. Selectman Bauer said the committee had considerable discussion about delaying this and Eric Schelberg, Ambulance Director, is in full support of the decision. Selectman Bauer indicated that she is finished with counting the oval apartments to identify how many parking spaces may be required for those apartments; she came up with 48 apartment units in the oval, however that does not provide the number of vehicle owners needing parking. Chairman Daniels asked if that could be done by November 15. Selectman Bauer said it could, she needs to collect that information.
b) OTHER ITEMS (that are not on the agenda). Selectman Fougere indicated that Milford lost a resident in a motor vehicle accident on Route 101 last week at the 101A intersection; he asked if it is time we get regional planning involved in widening Route 101 in the 10 year plan; it may take 20 years, but it starts

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1 with discussion. A temporary solution might be to get a median on 101, 101A and Route 13. Vice Chair-
2 man Finan also noted that the rumble strips (previously on 101) are no longer there, since the re-paving.

- 3 c) **2012-2013 Board of Selectman Goals and Tasks.** Chairman Daniels reviewed the items on the list of
4 goals for Board members. In the future, Selectman Bauer would like to have a discussion regarding events
5 on the oval and how they are set up and the impact.
6

7 **8. APPROVAL OF FINAL MINUTES – August 13, 2012.** Selectman Fougere Bauer moved to approve the
8 minutes of August 13, 2012 as presented. Vice Chairman Finan seconded. All were in favor. Motion passed 4/0/1,
9 with Selectman Putnam abstaining.
10

11 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.** There were no information items discussed.
12

13 **10. NOTICES.** Notices were read by Chairman Daniels. Selectman Putnam was excused for the remainder of the
14 meeting.
15

16 **11. NON-PUBLIC SESSION.** Vice Chairman Finan moved to enter into Non-public session at 7:41 p.m. in ac-
17 cordance with RSA 91-A:3 II (e) (Personnel). Selectman Fougere seconded. All were in favor. Motion passed 4/0.
18 It was decided that the NPS minutes of August 13, 2012 would be tabled until the next regular Board meeting on
19 September 24, 2012. Selectman Fougere moved to come out of non-public session at 7:45 p.m. Vice Chairman
20 Finan seconded. All were in favor. Motion passed 4/0.
21

22 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Fougere moved to
23 adjourn at 7:45 p.m. Selectman Bauer seconded. All were in favor. Motion passed 4/0. Chairman Daniels an-
24 nounced that no votes were taken and no decisions were made in non-public session; the Board discussed a person-
25 nel issue and took no action.
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27
28

29 _____
30 Gary L. Daniels, Chairman
31

Tim Finan, Vice Chairman

32 _____
33 Katherine Bauer, Member
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Mark Fougere, Member
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36 _____
37 Mike Putnam, Member
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