

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
September 23, 2013

PRESENT: Gary Daniels, Chairman
Mark Fougere, Vice Chairman
Katherine Bauer, Member
Mike Putnam, Member
Kevin Federico, Member
Guy Scaife, Town Administrator
Darlene J. Bouffard, Recording Secretary
Dave Bosquet, Videographer

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

INSTRUCTIONS: Chairman Daniels called the public meeting to order at 5:30 p.m. and introduced Board members; he 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.

2. APPOINTMENTS:

5:30 p.m. – Joan Dargie – Consideration of the appointment to the ZBA. Chairman Daniels invited Joan Dargie to the table to speak with the Board, and indicated that she would like to join the Zoning Board of Adjustment as an Alternate. Joan Dargie said that she has more time and would like to serve as an alternate at this time. Vice Chairman Fougere thanked Joan and Selectman Bauer said she is happy to have Joan step up. Selectman Putnam moved to approve Joan Dargie as an alternate Zoning Board of Adjustment member through March 31, 2016. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

5:35 p.m. – Land Use Change Tax Abatement. Marti Noel, Town Assessor, introduced Gretchen Ham who is requesting an abatement to her property taxes for Map 47, Lot 14-1 in the amount of \$5,800 which is in Current Use and has been challenged by the Assessor that it should not be in current use since there is a commercial operation producing income at the site. Ms. Noel had planned to be before the Board in late August but it was rescheduled for September 23, therefore the paperwork reflects the original date of August 26. Last time this issue was before the Board, it was tabled so that members could take another look at the site. Ms. Noel felt it might be appropriate to show pictures to the Board which shows there is a commercial operation occurring. Ms. Noel presented several photos of stone being removed from the earth, which needs to remain undisturbed if the land is in Current Use.

Chairman Daniels asked if Ms. Ham had any comments. Ms. Ham agreed to let Chairman Daniels explain her position. Over the last month, Chairman Daniels has tried to understand this from the legislative viewpoint. There are three statutes involved – RSA 79-A, RSA 72-B and RSA 155-E. RSA 79-A describes what has to happen in order for property to be subject to the Land Use Change Tax (LUCT). RSA 79-A:7, IV has been cited as the reason the LUCT should be applied. That section of statute reads “For purposes of this section land use shall be considered changed and the land use change tax shall become payable when: (b) Topsoil, gravel or minerals are excavated or dug from the site.” What is the definition of “excavating?” That definition is in RSA 72-B and means “extracting earth from its state of natural repose.” Chairman Daniels reiterated that the legislature stated that RSA 72-B has to be read in conjunction with RSA 1155-E, causing us to further question how “earth” and natural repose” are defined. “Earth and “Dimension Stone” are both defined in RSA 155-E:1. RSA 155-E:1, IV: defines “Dimension stone” as “rock that is cut, shaped or selected for use in blocks, slabs, sheets, or other construction units of specified shapes or sizes and used for external or interior parts of buildings, foundations, curbing, paving, flagging, bridges, revetments, or for other architectural or engineering purposes. Dimension stone includes quarry blocks from which sections of dimension stone are to be produced. Dimension stone does not include earth as defined in RSA 255-E:2, I. Chairman Daniels stated that the granite being removed from the surface of Ms. Ham’s property fits the definition of “dimension stone.” Rocks that are selected for use in the various ways cited in statute. The legislature clearly stated that “dimension stone” statutorily does not include “earth.” Since “dimension stone” does not include “earth” and excavating” is the extracting of the “earth,” therefore “dimension stone” cannot be considered I the definition of “excavating.” The statute cited for removing land from current use therefore would not be applicable. Chairman Daniels then state that there was no legislative definition of “natural repose” and therefore questioned how a legal

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1 opinion could be made that land had reverted back to a state of natural repose if there was no legislative definition of
2 “natural repose.” At what point does something revert back to its state of natural repose? Chairman Daniels stated
3 that Selectmen and state and local employees do not have the authority to make law if it is not currently defined and
4 sometimes legislatures do not always fill in all the blanks. Any such opinion regarding land reverting back to a state
5 of natural repose is purely subjective, with no legislative backing and therefore the statute cited for removing land
6 from current use would also not be applicable because “natural repose” is not defined. Based on this analysis,
7 Chairman Daniels feels the abatement would be appropriate.
8

9 Ms. Noel said we are talking about land that is in Current Use, while it is in Current Use, she cannot remove stone
10 unless it comes out of Current Use. Cutting trees, haying or cutting Christmas trees on Current Use land are all ac-
11 ceptable, but this land does not look the same as it did before it was disturbed. Removing a rock wall is not the
12 same as removing stones from the earth. This land has been disturbed. Chairman Daniels argued that the dimension
13 stone does not qualify as being removed from the earth. Vice Chairman Fougere disagreed with Chairman Daniels,
14 stating if Ms. Ham wants to remove all the material that is on her property, he doesn't have a problem with that, but
15 it must be taken out of Current Use. When looking at Current Use and there is a question, you need to look at what
16 is the purpose of Current Use. RSA 79-A;1 declares that it is for the public interest. To say that the taking of these
17 materials is within the Current Use statute is a stretch. Common sense must be utilized as well. Natural repose,
18 those piles have been laying in repose since the 1930's, he has no problems with taking the materials from the land,
19 however it should be taken out of Current Use, and those minerals have been dug out. The sale of excavation mate-
20 rials is part of this. It is difficult to write a statute that covers every possible scenario. This property must come out
21 of Current Use, it should be defined, others that want to do the same thing up there, that is fine, but Vice Chairman
22 Fougere believes strongly that it must come out of Current Use. Taxes have been lowered for this land owner be-
23 cause the land is in Current Use. Everybody else that pays taxes pays more when land is in Current Use, it is im-
24 portant to have land in Current Use but he thinks this particular land should come out of Current Use. Selectman
25 Bauer agreed 100%; the sale of excavation material will require change of the land, therefore it should be taken out
26 of Current Use.
27

28 Ms. Noel continued with the slides showing that we can see that there is quarry rubble. It is slag and Ms. Noel does
29 not feel it comes under the definition of dimension stone. Selectman Bauer said the granite on this land has been
30 there for decades so it has returned to its natural repose. Selectman Bauer also has no problem with Ms. Ham hav-
31 ing this business there but the land cannot be kept in Current Use. Chairman Daniels asked what date the land got
32 back to its natural state. Ms. Noel said it was judged to be in its natural state and left in Current Use. Selectman
33 Bauer added that if the stone is being sold commercially, the land cannot be in Current Use. Guy Scaife indicated
34 this is a difference of opinion, while the statutes might not have a clear understanding; it is common sense to have a
35 judgment made. This is a commercial operation that is selling off mined material that was excavated. The only type
36 of commercial operation that can stay in Current Use is tree cutting or haying. Guy Scaife stated that Ms. Noel is
37 the expert here and this is her professional opinion. The only way that this can go forward is to deny the abatement
38 request and Ms. Ham can go to the BTLA if she desires. If this is denied, it will go to the next office. The State
39 gravel tax appraiser strongly feels that this is not an activity that can be done for land in Current Use.
40

41 Vice Chairman Fougere said it is unfortunate that this has come up since Ms. Ham bought the property. The previ-
42 ous owner knew what Current Use was. Vice Chairman Fougere stated that dimension stone is not in the statute
43 because that deals with gravel stone; dimension stone is for mining and therefore they are regulated in two different
44 statutes. Chairman Daniels said he believes that dimension stones were put in as an exclusion of what earth is.
45 Chairman Daniels disagreed with Guy Scaife and the only way the gray area can get cleaned up is to go back to the
46 legislatures, not to send it to higher appeal because then it is still in the same situation of the gray area. The only
47 way to fix it is to take it back to the legislatures to more clearly define it. Vice Chairman Fougere said when there is
48 lack of clarity; you go back to the State statute. Vice Chairman Fougere supports denial.
49

50 Selectman Bauer said there is a letter from the State gravel tax and it does not seem too difficult to interpret that
51 there is a lot of material. Selectman Bauer has no objection with Ms. Ham continuing the operation if the land
52 comes out of Current Use. Selectman Putnam said that stone was probably taxed when it came out the first time
53 because it was cut off from other pieces. It is a pile of stones; Ms. Ham is picking up the stone and selling it. Se-
54 lectman Putnam agrees with Chairman Daniels that things need to be more defined; he has a hard time taxing it
55 more than once. Ms. Noel said we are not discussing whether it has been taxed or not, but the land tax has been
56 clearly reduced because it is in Current Use. Selectman Putnam said it is piles and she is going through and pulling
57 rocks out. Selectman Putnam has trees starting to come out of his wood pile but has that pile reverted back to its
58 natural state?

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1
2 Selectman Bauer said this land is being disturbed and it should come out of Current Use. Selectman Federico indi-
3 cated this board can get dragged down by all of the definitions, we are looking at one pile, the same pile that has not
4 been touched yet and has trees growing on it. It comes back to its natural state (natural repose). You are taking the
5 stone out and selling it. Does it fit under Current Use? No, you are using that land for what the Current Use intent
6 is. It is ill defined and needs to be better defined but Selectman Federico thinks the abatement needs to be denied
7 and thinks it needs to also go to the legislature to get it better defined.

8
9 Because there are no clear definitions, Chairman Daniels feels we should approve the abatement because there is no
10 clear definition. Selectman Federico indicated that by approving the abatement, it is not better defined, it needs to
11 be pushed up to the legislature; the Town Assessor is saying this land should no longer be in Current Use. Gretchen
12 Ham stated that certain things can be done on Current Use land for commercial operation? Ms. Noel said that is
13 pretty clear in the statute, including baling hay and cutting trees. Those are acceptable uses. Vice Chairman Foug-
14 ere said that 22 years ago he went into those rock piles and pulled out cobble stones for his house. He was doing it
15 by hand. That is not what is happening here, it is a commercial operation, and the land should be taken out of Cur-
16 rent Use.

17
18 Selectman Putnam moved to approve the abatement request. Chairman Daniels seconded. Selectman Putnam and
19 Chairman Daniels were in favor; Selectman Bauer, Vice Chairman Fougere and Selectman Federico were opposed.
20 Motion failed 2/3.

21
22 Vice Chairman Fougere moved to deny the abatement request. Selectman Bauer seconded. Vice Chairman Foug-
23 ere, Selectman Bauer and Selectman Federico were in favor, with Selectman Putnam and Chairman Daniels op-
24 posed. Motion passed 3/2.

25
26 **6:05 p.m. – Updates/Funding for Roads and Bridges.** Guy Scaife indicated the town has a serious issue with
27 funding the repair or replacement of bridges. A couple of years ago, we had a bridge that had to be shut down im-
28 mediately (Jennison Road). That is one of ten bridges in town that have some stage of repair condition. We need to
29 start reserving money now with a warrant article as a mechanism to set aside money for bridge repair. Money
30 should not be tied to a specific bridge but to a fund for any bridge needing repair. Guy Scaife had asked Rick
31 Riendeau to review the bridges and come up with estimates as far as the cost of repair and his priorities. Chairman
32 Daniels asked if the \$580,000 estimate includes any engineering. Rick Riendeau, DPW Director, answered that it
33 does, \$18,000 has been appropriated toward the engineering costs for the Jennison Road Bridge. We have entered
34 into an agreement with the State on that bridge and the town is required to pay a 20% match. Rick said the Mason
35 Road Bridge, which is located just after Burns Hill, is a major cross road and this is his second priority, since it is
36 the same bridge type as the Jennison Road Bridge. DPW has started some engineering on the Mason Road Bridge
37 and has sent an application to FEMA to see if the town can get some money from the government.

38
39 Funding from the state goes out to 2026 before we can even get on that list. The Stone Bridge (Route 13) is on the
40 State roads list to review. They have had to cancel their inspection appointment two times. Rick feels we need to
41 get an engineer to take a look at it to get some sort of estimate on the cost to repair. The Jennison Road bridge was
42 rusted half way through; the Savage Road Bridge is now also rusted and may get a weight limit. Mr. Riendeau said
43 this is something we need to talk about and plan for and that is how he came up with the \$252,000 for the engineer-
44 ing and finish of Jennison Road. Chairman Daniels asked if the grading has changed over the past decade. Mr.
45 Riendeau said the grading system is the same as it has been as far back as he has been able to find. Chairman Dan-
46 iels thought that the definition for being “red listed” had changed. Mr. Riendeau said that red listed means it needs
47 attention; he has seen when roads have dropped to “state of deterioration.”

48
49 Selectman Bauer asked if the Mason Road Bridge has been red listed by the State yet? Mr. Riendeau said no, there
50 are three red listed bridges, Hartshorn, Savage and Jennison Road bridges. Selectman Putnam asked how long is the
51 Jennison Road temporary fix good until? Guy Scaife said we have a commitment with the state, which was moved
52 out to 2016. Selectman Bauer asked about the potential \$250,000 in the fund and how long it might take for the
53 bridges to be repaired. This is a big decision for the town, it needs to be talked about and planned for. Selectman
54 Bauer said if a bridge is in bad shape, we need to put big money into some of these bridges. Mr. Riendeau said we
55 can talk about it and come up with a more real cost. He would like this to be a Capital Reserve Fund for bridges.
56 Vice Chairman Fougere asked how the roads were prioritized on Mr. Riendeau’s list. Mr. Riendeau based the pri-
57 ority on the impact to the town. Mason Road is very important to the town. Vice Chairman Fougere asked how fast
58 he thinks the town needs to move on the bridges. Mr. Riendeau responded there are a lot of bridges and a lot of

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1 work to be done. Vice Chairman Fougere asked what the pace would be to work on the bridges. Mr. Riendeau did
2 not have that information; he needs more information to estimate that. We can mix and match some of the repairs.
3 Vice Chairman Fougere said that having the money set aside will help us, and having some engineering done be-
4 forehand will help as well. Once we get some engineering, we can prioritize and be pro-active.
5

6 Tim Finan, Berkeley Place, suggested that Mr. Riendeau go out and look at some bridges that will not fail for anothe-
7 r 10-15 years to get them on the list. He thought two of the bridges are on the State historical list and there might
8 be some grants available to assist with those repair costs. Rick Riendeau agreed, the Swing Bridge is on the Vintage
9 list and it there is money available to apply for repairs to that bridge. Even to get on the State list, we will need
10 money to start the engineering for repairs. Guy Scaife said this is to put the town in a position to get that funding
11 and work with the State and to go after historical money but we need some of the engineering money to get that in-
12 formation about how big the repair is and how much it will cost. Guy Scaife said \$80,000 in engineering for several
13 bridges might leave a little money left over. If we need to do another temporary bridge like Jennison Road, we need
14 that in the fund. Janet Langdell, Planning Board Chair, said there was a meeting recently when it came up about
15 bridges and the message was the maintenance, we need to save what we have and maintain it going forward. Mr.
16 Riendeau agreed, bridge work is expensive and maintenance needs to be kept up. Rick Riendeau said he needs to
17 get some engineering input to get that estimate for engineering.
18

19 **6:30 p.m. – Capital Improvements Plan (CIP) Advisory Committee.** Paul Dargie and Rose Evans, representing
20 the CIP Advisory Committee presented the draft Capital Improvements Plan. Mr. Dargie indicated the CIP Adviso-
21 ry Committee is set up by RSA to provide information to help make decisions at budget time. The committee meets
22 with each town department who gives us an overview of projects during the year and what the department needs for
23 capital improvements year to year. The department heads were not trying to put in things they did not need. They
24 were clear in their needs and able to talk about different projects. The report is sorted by year and then department,
25 then prioritized by year. The spreadsheet includes all the different requests, which make up the meat of the report.
26 \$1.3 million per year is projected for projects, and as items are spent down, the payments decline. This year, Mr.
27 Dargie indicated that the CIP Committee agreed with the requests from Department Heads. Five projects are
28 planned for 2014. Each was rated and prioritized. The number 1 priority for 2014 is the Ladder 1 replacement at a
29 cost of \$770,000. Last year this item was replaced with the Engine replacement and the Ladder 1 was moved out.
30 In the 2015 CIP, the priority is the Nashua Street/Ponemah Hill Road signalization for \$665,000 combined with the
31 sidewalk project for Nashua Street. After the presentation, Vice Chairman Fougere thanked the committee for doing
32 this work; it is a lot of work. Paul Dargie indicated that the Ladder 1 truck was originally quoted at \$950,000, and
33 that number has gone down to \$770,000 at this time. Guy Scaife said those preliminary numbers show a big swing
34 but it is the same truck with a more realistic price. Paul Dargie understands that the Ladder 1 is good for the next
35 year. Guy Scaife indicated if a warrant article gets approved, there is a lead time to order the truck, so the truck will
36 not be available immediately after the vote. It was agreed that the draft CIP should be put on the website and hard
37 copies will be available in Community Development.
38

39 **7:00 p.m. – Second Public Hearing Proposed Purchase of 29 Nashua Street Property (Library Trustees).**
40 Chairman Daniels opened the second public hearing at 7:35 p.m. for the proposed purchase of the 29 Nashua Street
41 property by the Library Trustees. Chairman Daniels asked for comments from the public. There were none.
42 Chairman Daniels closed the public hearing at 7:36 p.m. Chairman Daniels indicated the final vote on this proposal
43 will take place at the Fifth Monday forum on September 30, 2013.
44

45 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).**

46
47 **4. DECISIONS**

- 48
49 a) **CONSENT CALENDAR.** Chairman Daniels asked if any items need to be removed from the Consent
50 Calendar for discussion. No items were removed. Selectman Bauer moved to approve the Consent Calen-
51 dar as presented. Vice Chairman Fougere seconded. All were in favor. Motion passed 4/0, with Select-
52 man Putnam out of the room.
53

- 54 (1) **Request to Hold a Blessing of the Animals on the Oval (Church of our Saviour).** The request for
55 Board permission to allow the Church of Our Saviour to hold a blessing of the animals on the oval on
56 October 6 beginning at 2 p.m. and lasting about an hour. This request was approved.
57

- 1 (2) **Approval of 31:95(b) \$850 Brick Fundraiser Monies to be Used for the Keyes Pavilion Special**
 2 **Purpose Fund.** The Listing of Unanticipated Revenue under \$5,000 was presented as follows:
 3

Source	Amount	Purpose
Milford Recreation Comm.	\$ 850.00	Brick fundraiser monies to be used for the Keyes Pavilion Special Purpose Fund.

7 This request was approved.

10
 11 **b) OTHER DECISIONS.**

12
 13 **5. TOWN ADMINISTRATOR REPORT:**

14
 15 a) **Town Hall Space Analysis RFP Update.** Guy Scaife indicated the space analysis is being conducted
 16 by SMP; on September 25, 2013 they will meet with staff again to make sure they understand what was
 17 provided to them. Guy Scaife explained that Bill Parker indicated he will meet with the architect and Facil-
 18 ities committee to look at the alternatives SMP has come up with on October 9. On October 23, 2013, a
 19 public meeting will be held on this subject. Mechanical and HVAC will be the major push of the cost of
 20 the renovation. Vice Chairman Fougere asked about the plan for the foyer. Guy Scaife said that is not part
 21 of the architect's plan, but revised quotes were received today so he will be talking with the Board in the
 22 future about the foyer.
 23

24 b) **Financial Update.** Guy Scaife indicated he does not have any additional budget data to share yet, the
 25 healthcare cost increase is a big item that we will not get until October 17. That is a big ticket item; some
 26 departments are at a zero percent increase or negative increase, while others like DPW have a large in-
 27 crease. We will see another large increase from the retirement system employer contribution due to the
 28 changes made in 2012. Approximately 50% of the change was reflected in this year's budget and the re-
 29 mainder will be in the 2014 budget. This was a good year, but we are still recovering from the recession.
 30 The Board needs to have a work session with DPW to review the project list to figure out what we can fund
 31 in 2014 or 2015. Guy Scaife requested that a special work session be called or have Rick Riendeau come
 32 in to discuss with the Board of Selectmen about the priorities. Chairman Daniels asked about the prelimi-
 33 nary budget numbers. Guy Scaife wants to hold off on the budget until the Board talks with DPW. Chair-
 34 man Daniels wants to put it all on the table together. Selectman Putnam asked if Rick could send the wish
 35 list to Board members. Guy Scaife said the Police Department has been requested by the School to staff a
 36 School Resource Officer (SRO) position. We had one for many years, and it was eliminated about three
 37 years ago. The Superintendent of Schools will have that in his budget but they are funding nine months out
 38 of the 12 months. The school is placing it on their warrant but part of that position would be under the
 39 town budget. If approved, the officer would be starting in the beginning of the school year, 2014. Chief
 40 Viola has added that additional person starting July 2014 to get ready for that assignment. The only other
 41 head count that will be added is the two people at DPW that are backfills. Guy Scaife said the health insur-
 42 ance increase will not be available until mid-October.
 43

44 c) **Miscellaneous.** Guy Scaife explained that Fieldstone is working on the Osgood Pond application, it is rec-
 45 ommended we stay away from the wooded wetlands. It could be as much as 13.6 acres. It is one thing for
 46 DPW to manage a 4-5 acre dredge, but this is a much larger scale project which adds on time and money.
 47 We had hoped that some local contractors would take some of the dredged materials. Guy Scaife expects
 48 the costs to go up disproportionately as the volume increases. The permit as approved will allow us to do
 49 that much, then it will be up to the Board and the community to determine how much tax payers will fund.
 50 Vice Chairman Fougere said the advantage is that if we get the permit, we will be able to proceed. Select-
 51 man Bauer thought it would be limited to less than what the Army Corps would allow but we will not know
 52 until we get the permit. Guy Scaife said it is not just the permit; it is also the inspection and the expert has
 53 advised the town not to go near the wooded area. We do not want to run the risk of flooding or siltation
 54 getting into the water stream. Chairman Daniels asked if the strategy for dredging was taken into consider-
 55 ation. Guy Scaife said that has not all been fleshed out.
 56

57 Guy Scaife indicated that the Board was given a notice from Human Resources regarding the Affordable
 58 Healthcare Act, which is the government's way of informing all employees of the availability of healthcare.

1 There has been concern about how it will affect everyone. The only thing so far that the town had to do
2 was make copies of the form and send it to all employees. Milford does not have a Cadillac insurance plan,
3 our plans are affordable. It appears we are in good shape; we are in the large employer category.
4 Guy Scaife requested the Board to reconsider forwarding the July 2012 Ledgewood Board of Directors re-
5 quest to the Traffic Safety committee. Last July, the Chairman of the Board of Directors of Ledgewood
6 wrote to the Board of Selectmen and indicated that people are concerned about the Tonella Road intersec-
7 tion. For safety reasons, the residents have accepted that the intersection does not warrant a traffic light.
8 They asked if the Board of Selectmen could consider reversing the flow of traffic on the one-way street
9 (Phillips Way) so that people can go out by South Street instead of going out on Tonella Road. The origi-
10 nal request was tabled in early August and at the next meeting it was turned down. The Ledgewood Board
11 of Directors felt that the request should go to the Traffic Safety Committee (TSC) for their consideration.
12 Guy Scaife has talked with Chief Viola who feels that it is worthwhile to look at it. On Prospect Street, it
13 would be appropriate to have signs that state "No Through Trucks". By sending this to the TSC that would
14 give the residents the opportunity to meet with the TSC. Guy Scaife's request is to reverse the one-way di-
15 rection on Phillips Way, classify Prospect Street as "No Through Trucks" and consider reducing the speed
16 limit on Prospect to 25 mph.
17

18 Vice Chairman Fougere thought one problem was that it was a Planning Board stipulation when the devel-
19 opment was approved to have it a one-way in the current direction to keep traffic from Prospect Street, so
20 that decision involved the Planning Board and he believes during that approval process for that develop-
21 ment it was a condition of that approval. Guy Scaife said even if it was a position at that time, it does not
22 mean it cannot be reversed. Vice Chairman Fougere said if it was a Planning Board condition for approval,
23 do we need to go back to the Planning Board or is it a Board of Selectmen matter? In addition, that is a
24 public road and is that something the Board of Selectmen can change or would it go to the Planning Board?
25 Selectman Bauer feels it is worth checking out. Guy Scaife if the TSC says do not change it, then it doesn't
26 get changed. Chairman Daniels thinks we would contact the Planning Board to find out why that stipula-
27 tion was made. Vice Chairman Fougere knows it was quite a bit of discussion at that time. Selectman
28 Federico moved to refer this issue to the Traffic Safety Committee. Vice Chairman Fougere seconded. Se-
29 lectman Federico, Vice Chairman Fougere, Selectman Bauer and Chairman Daniels were in favor, with Se-
30 lectman Putnam opposed. Motion passed 4/1.
31

32 **6. DISCUSSIONS.**

- 33
- 34 a) **Clarity of What Needs to go Before the Board of Selectmen for Approval i.e. Blessing of the Animals.**
35 Chairman Daniels questioned the requirement of what needs to come before the Board for approval and
36 what does not need to come before the Board. If something did not require the approval of the Board, or
37 other departments, could Administration provide that approval? Selectman Bauer asked what is the thresh-
38 old. Chairman Daniels asked if there was a request to hold a wedding at Emerson Park, could that be ap-
39 proved by Administration? Selectman Bauer thinks that is a lot of judgment on one person; Guy Scaife
40 said it could be a joint decision of himself and his Executive Assistant. There are so many different things
41 that come up and to have to call a special Board meeting for each one is not required. If in Guy Scaife's
42 opinion it should go to the Board, he will contact members; we really do not have a reason to say no, if it is
43 just a group on public property. Guy Scaife said he will e-mail Board members if it is an event that is hap-
44 pening on the oval just to let them be aware.
 - 45 b) **Board of Selectmen Goals / Tasks Review and Board of Selectman's 2013-2014 Goals / Tasks Devel-**
46 **opment.** There is nothing new to discuss.
 - 47 c) **2014 Legislation Proposal Submission (Sept. 9 through 27, 2013).** Marti Noel, Town Assessor, has giv-
48 en language to Chairman Daniels about the multi-generational families living together when an applicant
49 applies for the elderly exemption. This is a bill that Chairman Daniels will be submitting to Legislation.
50

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

- 52
- 53 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Vice Chairman
54 Fougere said that the Ambulance Facility meeting is this week; the facility is in the final stages, and is within
55 budget. Selectman Federico and Vice Chairman Fougere are trading their Recreation Commission and PEG
56 Access Committee representation. Chairman Daniels said that the Recycling Committee is putting together a
57 presentation which will come before the Board; the budget request for Recycling is for a mobile office to re-
58 place the current office and scale house. The presentation will show the working conditions out there that need

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to be addressed. The question is what is the best time to bring it in. Chairman Daniels will ask the Committee to come to the next Board meeting to ask for permission to move forward and apply for permits. Selectman Bauer indicated the Transfer Station is a landfill and we cannot have permanent facilities built.

b) OTHER ITEMS (that are not on the agenda). Selectman Putnam indicated that Mr. MacDonald contacted him and asked what is the status of his driveway. Selectman Putnam responded to him that Mr. MacDonald needs to submit in writing exactly what his concerns are. Mr. MacDonald said he has not had time to put that together. Chairman Daniels has also talked with Mr. MacDonald. Selectman Putnam said that this is the second time Mr. MacDonald has called him today. Selectman Putnam also noted that the house just before MacDonald's has a stone wall that is right up to the asphalt and is a concern to Mr. MacDonald.

Selectman Bauer indicated that MACC Base Board of Governor's is meeting to discuss the budget on October 9, it is a public hearing. Selectman Federico will be attending that meeting.

8. APPROVAL OF FINAL MINUTES. Selectman Federico moved to approve the minutes of August 26, 2013. Selectman Bauer seconded the motion. All were in favor to approve the minutes of August 26, 2013. Motion passed 4/0/1 with Selectman Putnam abstaining.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

10. NOTICES. Notices were read by Chairman Daniels.

11. NON-PUBLIC SESSION. Vice Chairman Fougere moved to enter into Non-public Session at 8:25 p.m. for approval of non-public minutes of August 26, 2013 (2 sets) as well as for RSA 91-A:3,II(c) -Reputation. Selectman Bauer seconded. All were in favor. Motion passed 3/0/2 with Selectman Federico and Selectman Putnam out of the room.

Vice Chairman Fougere moved to unseal the non-public minutes for review. Selectman Federico seconded. All were in favor. Motion passed 5/0.

Vice Chairman Fougere moved to approve the two sets non-public minutes of August 26, 2013 (2 sets). Selectman Bauer seconded. All were in favor with Selectman Putnam abstaining. Motion passed 4/0/1.

Vice Chairman Fougere moved to re-seal the non-public minutes of August 26, 2013 (2 sets). Selectman Bauer seconded. All were in favor. Motion passed 5/0.

There was a reputation discussion which convened after the approval of non-public minutes in accordance with RSA 91-A:3,II: (c) - Reputation. Subsequent to discussion, Selectman Putnam moved to come out of non-public session. Selectman Federico seconded. All were in favor. Motion passed 5/0. Chairman Daniels announced that in non-public session the Board approved two sets of non-public minutes and discussed one issue relevant to reputation.

12. ADJOURNMENT: There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 9:47 p.m. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

Kathy Bauer, Member

Kevin Federico, Member

Mike Putnam, Member