

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
September 8, 2014

PRESENT: Gary Daniels, Chairman
Mark Fougere, Vice Chairman
Katherine Bauer, Member
Mike Putnam, Member
Kevin Federico, Member (excused at 5:35 p.m.)
Guy Scaife, Town Administrator
Darlene J. Bouffard, Recording Secretary
Niko Giokas, 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., introduced Board members and then led the audience in the Pledge of Allegiance. 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.

2. APPOINTMENTS:

5:00 p.m. – Non-Public-Reputation. Selectman Putnam moved to enter into Non-public session at 5:00 p.m. in accordance with RSA 91-A:3 II (e) legal. Selectman Federico seconded. Motion passed 5/0. After a legal discussion, Selectman Putnam moved to come out of non-public session. Selectman Federico seconded. All were in favor. Motion passed 5/0 and the Board exited non-public session at 5:25 p.m. Chairman Daniels announced that in non-public session the Board addressed a legal issue and took no votes. The minutes of this non-public meeting have been sealed.

5:30 p.m. – Public Hearing for Acceptance of Unanticipated funds 31:95(b) Over \$5,000. Chairman Daniels opened the public hearing and read the listing, asking for comments from the public. There were none. Chairman Daniels closed the public hearing. Selectman Putnam moved to accept the unanticipated funds as listed:

<u>Amount</u>	<u>Purpose</u>
\$25,000.00	Keyes Park Expansion Project Special Purpose Fund Donation from Hitchiner Manufacturing Co. for the purchase of 127 Elm St.
\$19,000.00	Keyes Park Expansion Project Special Purpose Fund Donation from the Milford Recreation Commission for the purchase of 127 Elm St.
\$10,000.00	Keyes Park Expansion Project Special Purpose Fund First installment of a 5-year \$50,000 grant from the Kaley Foundation, Bank of America, NA, Trustee, for the benefit of the Keyes Expansion Project to purchase land to add to recreation fields and future community center.
\$ 6,508.54	Ice Rink Special Purpose Fund – Donation from the East Milford Improvement Society Trust Fund for building project improvements at Shepard Park.
\$ 150.00	Keyes Pavilion Special Purpose Fund – Brick fundraiser monies from the Milford Recreation Commission to be used for the Keyes Pavilion Special Purpose Fund.

Selectman Bauer seconded and commented how extra generous these vendors have been for the betterment of the town. All members agreed. All were in favor. Motion passed 5/0.

Vice Chairman Fougere asked that a letter be sent from the Town to all organizations that have contributed to this effort. Members thought that had already been sent, but Guy Scaife will confirm. Selectman Federico was excused from the balance of tonight's meeting. Selectman Federico was excused at 5:35 p.m.

5:35 p.m. – Appointment of Eric Radloff to the Conservation Commission. Chairman Daniels asked what the background of Mr. Radloff is. Eric Radloff explained he majored in Forestry and Natural Resources and Land Management and he appreciates the utilization of land and conservation and feels he would bring a nice set of skills for the Conservation Commission. He indicated it is also time for him to give back to his community. Chairman Daniels thanked Mr. Radloff for that mindset. There were no other questions from the Board. Selectman Putnam

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1 moved to approve Eric Radloff as an Alternate Member of the Conservation Commission until March 2017. Se-
2 lectman Bauer seconded. All were in favor. Motion passed 5/0.
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4 **5:40 p.m. – Water/Sewer Commissioners – West Elm Street Water Main Extension.** Dale White, Robert Cour-
5 age and Michael Putnam, Water/Sewer Commissioners, were present for this discussion about a West Elm Street
6 water main extension. Mr. Putnam indicated about a year ago the Water Commissioners were approached by the
7 businesses and residents on West Elm Street about water issues. We have looked at it long and hard and have talked
8 to Wetherbee about his building; he wants to expand his business but he can't because of water. Dunkin Donuts is
9 interested in working in this new system. Penguin Market is also interested. The cost has been considered and the
10 engineering estimates are done but it has not gone out to bid yet. The Department of Transportation (DOT) will be
11 re-doing that corridor in the next five years. The Water/Sewer Commissioners are charged with the maintenance of
12 current systems, but not the growth. Many different options have been discussed regarding the infrastructure. This
13 is for the town growth and will help with economic development up there. This will increase the businesses at that
14 end of town. The Water/Sewer Commissioners feel the Board should put this on the warrant and add it to the gen-
15 eral taxation. The engineering process would come out of the water and sewer commissioners' budget who has al-
16 ready bid out \$16,000 to get it engineered. Installation is estimated to be 3,283 feet of water main which may cost
17 approximately \$868,181. Some water mains will have to be replaced, which the Commissioners will pay for. The
18 end result is about \$750,000 for a warrant article for general taxation. Mr. Putnam stated the Water/Sewer Commis-
19 sioners are prepared to go out to bid on this project, but wanted a confirmation from the Board of Selectmen to move
20 forward to get firm numbers. We feel it is good for that end of town and we can start digging in March after a vote
21 to get them water in mid-2015.
22

23 Water/Sewer Commissioner Dale White stated the last thing people in town want is a larger tax bill, and as a Com-
24 missioner, he agrees, but this will help manage the town water user's money and he feels this is money well spent.
25 Mr. White said the Commissioners are asking for Board support because the road will be re-built and widened and
26 the town would be remiss if we did not do this at this time. There is a need for water out there and there may be a
27 future need for Wilton to buy water from Milford. This is a capital expense, but it is also an asset for Milford.
28 When you have no water, we would be remiss to not provide water to our residents. The fairest way to fund this is
29 through a warrant article because it is an asset that the entire town will own. With Fire Department needs and
30 providing water to customers in that area, it is the fairest way for everyone. Bob Courage said the Water/Sewer
31 Commissioners had lengthy discussions on this issue, when the Commissioners previously met with the Board of
32 Selectmen, the point that came out was to get some costs for this project. The Commissioners solicited estimates
33 and TF Moran was the contractor chosen. The total is \$41,000 now; we have already spent \$16,500 and the 650
34 lineal feet from Savage Road to the McCloud apple building, which must be replaced with a 12" line, will cost
35 \$150,000. The Water Department has bought into this for \$200,000. It is not all on the tax rate. We have a policy
36 that says anyone who wants to extend a water main has to pay for it unless it is brought to Town Meeting. There is
37 potential to the Town of Wilton. Right now they are not interested, but it would bring a municipal connection right
38 to their doorstep. That is a benefit for Wilton for fire protection; they are currently relying on their pump trucks to
39 supply water. Milford has that type of connection with Pennichuck. There are 17 potential customers out there that
40 could tie into this line but we cannot require them to do the work up. The businesses up there want water.
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42 Dale White indicated the engineering estimate came in at \$861,000 and a certain portion of that would be reduced
43 by what the Water Commissioners will pay for, because there will construction by the State of NH, the estimate in-
44 cludes pavement and top coat. When the State does the upgrade to Route 101, there is no sense in paying for that
45 final coat when the State will do that. Bob Courage indicated if there is a warrant article commitment, they can
46 pre-bid this to get exact figures. We have done that in the past on projects so that when at town meeting we know
47 what it will cost. We will do that to have exact numbers this time as well. Chairman Daniels asked how long it
48 takes to get exact numbers. Dale White said about 2-3 weeks. Chairman Daniels asked why you would have to
49 have the Board of Selectmen support to go out and get those numbers. With this type of bid, Mr. White explained, it
50 is expensive to provide an estimate, so we would not want to have it bid unless we are sure the town wants to do it.
51 Chairman Daniels said it was stated the Commissioners were going to visit with businesses at that end of town to see
52 if they would assist with the cost, and asked if that had been done. Mr. White said no, the Commissioners all felt it
53 was fairest for everyone to participate in these costs. We felt it would be like double dipping to ask just those busi-
54 ness owners to pay for it.
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56 Mike Putnam said this would be a huge benefit to the town and it should be paid for by the town. Vice Chairman
57 Fougere said that at the last discussion, it was estimated to cost \$550,000 and he supported that, but tonight's num-
58 bers are a lot higher and there are a lot of items on the town's plate for 2015. The CIP has a lot of high dollar value

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1 items. Vice Chairman Fougere agrees the town should participate, it does benefit more than just those who own
2 property up there, but the owners did offer to contribute money, so why not accept that? Mr. White said the Com-
3 missioners still need it on the warrant. Vice Chairman Fougere said voters will be more responsive on the warrant if
4 there are owners that want to contribute as well. Mr. Putnam said the Commissioners can pursue that assistance
5 moving forward, but right now are looking for Board of Selectmen support to move forward. Bob Courage indicat-
6 ed the Commissioners are looking to see if the Board of Selectmen is buying into this idea, he was not looking for
7 approval or disapproval on this tonight. We should talk to the owners out there, but the big question is whether or
8 not the town will support and participate. He would be willing to have a meeting with abutters. In all fairness, we
9 should be told if this is something the Board of Selectmen wants to pursue. Either a blessing to move forward or
10 close the book on it.

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12 Chairman Daniels said all members were in favor of it when you came in before, but the CIP items show there are a
13 lot of other items on the list. We need to look at all of the items on the CIP and see where this falls. When people
14 go to the polls tomorrow about 127 Elm Street, it might be a done deal because the money has already been raised.
15 Raising money from owners might make a difference of whether we can afford to add it to the list or will it overload
16 the taxpayers. Mr. White added that this line will go up to the Irving Station, cross Route 101 and past the bank.
17 Mr. Putnam added there is potential for tax revenue out there to attract businesses. So it goes on the warrant and
18 either the voters approve or disapprove, said Selectman Bauer, the Commissioners have done a great job and this is a
19 very complete picture and she feels it is time to move forward on this. Mr. Courage said the Commissioners need to
20 know if this is something the Board of Selectmen wants to move forward on and get better costs. Chairman Daniels
21 said it should not cost much to ask if they are willing to contribute money and it might be incentive to bring a war-
22 rant forward at a lower price. \$750,000 is being presented for this item and that is the maximum amount, possibly
23 coming in less, the question is where that \$750,000 mixes in with everything else. Mike Putnam and Dale White
24 did not expect an answer tonight. Bob Courage asked if the Board of Selectmen is buying into this and wanting to
25 move forward. The consensus of the Board is to do this now. Mr. Putnam said the Commissioners will move for-
26 ward to get bids and get some funding assistance.

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28 Vice Chairman Fougere asked about water sources. Bob Courage responded they are still working on that. At the
29 next Board of Selectmen meeting, Chairman Daniels said they need to prioritize the items on the warrant list. Dale
30 White said this is an asset for the town and it is important for the future. Vice Chairman Fougere said we are meet-
31 ing every Monday at 5:00 p.m. since the Town Administrator left.

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33 **6:00 p.m. – Review of Application for Elderly Exemption.** Town Assessor Marti Noel indicated the Elderly Ex-
34 emption application is typically due April 15, however in this instance there were factors that prevented a timely
35 application, in this instance the application was received in early August and delayed because there was a probate
36 issue waiting for the courts to determine a change of trustee. We worked with this applicant and with the attorney
37 and Ms. Noel asked the Board to consider this application for approval. There were no questions from the Board.
38 Selectman Putnam moved to approve the Elderly Exemption as presented. Selectman Bauer seconded. All were in
39 favor. Motion passed 4/0.

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41 **6:05 p.m. – Review and Approval of MS-1 Report.** This report was waiting for the previous decision on the El-
42 derly Exemption in order to provide that information on the MS-1. This is a Department of Revenue form but the
43 signature page was omitted. This year there is a signature page for the Board. The town has some growth in a posi-
44 tive way, a little less than 1%. We have met the growth projections. Selectman Putnam moved to approve. Vice
45 Chairman Fougere seconded. All were in favor. Motion passed 4/0.

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47 **6:15 p.m. – Review of RFP for Assessment Services.** Town Assessor Marti Noel explained she has received three
48 bids for the Assessment Services, ranging from \$40,500 to \$54,075. The company the town has been working on in
49 the past was not the lowest bid, however, Ms. Noel would recommend doing with their bid because they are familiar
50 with the properties in town. Selectman Putnam moved to go with the recommendation of Marti Noel to use KRT for
51 Assessment Services. Vice Chairman Fougere seconded. All were in favor. Motion passed 4/0.

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

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55 **4. DECISIONS**

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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 moved to approve the Consent Calendar as presented. Vice Chairman Fougere seconded. All were in favor. Motion passed 4/0.

1) **Request for Approval of Reappointment of Heather Leach to the Economic Development Advisory Committee (EDAC), as a Full Member.** The Board approved this request for Heather Leach to be reappointed to the Economic Development Advisory Committee as a full member until March 31, 2017.

2) **Request for Approval of Timber Tax Levy Map/Lot 1-10 Riley Brothers Lumber Co.** The Board approved this request for a Timber Tax Levy in the amount of \$1,771.40

3) **Request for Approval of Petition and Pole License 415/8PB Mill Street.** The Board approved the petition and pole license for PSNH and Northern NE Telephone Operations LLC (doing business as FairPoint Communications-NNE) for one pole, 415/8PB located on Mill Street in the Town of Milford.

4) **Request for Approval of the 2013 MS-5, Financial Report of the Town or City Budget.** The Board approved the MS-5 Financial Report as requested by Jack Sheehy, Finance Director.

5) **RSA 287-A:7 Request by Milford Improvement Team (MIT) to Conduct a Raffle Prior to and during the Pumpkin Festival as part of their fundraising effort.** The Board approved a request by Milford Improvement Team (MIT) to conduct a raffle as part of their fundraising efforts for the 25th Pumpkin Festival scheduled for October 10, 11 and 12, 2014.

b) **OTHER DECISIONS.**

5. **TOWN ADMINISTRATOR REPORT.**

a) **Budget Updates.** Guy Scaife provided a budget update for the 2015 budget. The 2014 budget had legal expenses this year and had consultant services on environmental issues, there were underruns as well. Guy Scaife has reviewed 6 of the 12 department; 2014 might not have the margin of underrun as in last year. Jack Sheehy has done a draft 2015 budget roll out, making some changes, and six departments were run through today, there are some of the usual increases. A 3% merit increase is in the 2015 budget. Healthcare has a 5% increase coming in, which is the industry standard. November 1 we might have that number nailed down. The NH Retirement System will have an uptick this year. That might be voted on tomorrow. The challenge is going into the fall and winter without much to add to DPW for bridge/road repair and maintenance. Chief Viola will act as a point of contact for the Board when Guy Scaife is gone and Jack will also help out, until a replacement is found. An 8.8% tax rate increase is in the first pass of the budget, last year we got a rebate on health care. Guy Scaife asked for questions on the budget. At the end of this week, better information may be available.

b) **Other Items.** The World War II Memorial event on September 7 had a nice turn out with a lot of citizens. The park and enhancements were beautiful, if you have not been there, it is really fabulous. The Garden Club raised the issue originally last spring and asked for an overhaul and it looks great now. DPW put in a lot of effort and a lot of volunteers assisted. As far as the Town Hall renovation project, Guy Scaife had asked the Board to consider the CIP for this project, and the Board should also look at how doing the project in phases will end up costing more. Guy Scaife has asked Bill Parker and Jack Sheehy to pick up this project at some point. Guy Scaife encourages the Board of Selectmen to put the cost on the CIP and determine where in time it could begin. Guy Scaife has accepted a career opportunity in Rocky Hill Connecticut, it is a great career opportunity for him, but the citizens of Milford have been great to work with and warm and cordial to him and his family. The departments and department heads will be hard to match and we have accomplished a lot. Mr. Scaife said he is very proud of the accomplishments that were done in Milford, it is a great community and has a lot going for it. The fundraising for 127 Elm Street in such a short time shows that. Thank you all for the opportunity here and for all the things he has learned. On behalf of the Board of Selectmen, Chairman Daniels said the town is better with all Mr. Scaife has down for it.

6. **DISCUSSIONS.**

1) **Review of Crosswalk Request on Nashua Street.** Chairman Daniels asked what the Board would like to do with this request. Vice Chairman Fougere suggested it be sent to the Traffic Safety Committee (TSC) for consideration. All members concurred.

2) **Review of Recommended Parking Adjustments on Middle Street.** Vice Chairman Fougere has reviewed and presented a traffic adjustment plan for Middle Street to other Departments for consideration in

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order to add additional parking. After review, Police Chief Viola suggested the spaces in front of the prior ambulance garage doors can be utilized for handicapped spaces, however the other recommendations may not be feasible. Rick Riendeau, DPW Director, indicated the road is not wide enough to accommodate the recommended changes because the road narrows down near the end, but there is room to add about five spaces on the south side of Middle Street. Vice Chairman Fougere moved to have five spaces added to the south side of Middle Street as outlined on the diagram. Selectman Putnam seconded. All were in favor. Motion passed 4/0.

3) **Eagle Court of Honor.** The Eagle Court of Honor will be held on September 14, 2014 in honor of Robert L. Parker II, who has achieved this honor. All are welcome to attend, Chairman Daniels noted that he will be in attendance.

4) **Update on the Transfer Station Mobile Office – revised.** The mobile office building will be delivered about September 15; pad is in with electrical and everything is on schedule.

5) **Update on Green Bridge.** Chairman Daniels spoke with Primex regarding the cost of removal of the bridge and the liability. After the bridge is stabilized the town must decide whether to rehabilitate it or tear it down. Chairman Daniels wanted information from the insurance company to find out about liability. Both sides of the bridge are wired up, to prevent pedestrian traffic, there are signs on each end noting the bridge is closed; the town has done due diligence. We could add boards to access but the insurance company felt we have done due diligence. We should not be liable because we have done everything we can to let people know they should not be on there. The concern is lead paint. If the paint falls in the river, that could cause problems with DES. If that were to happen, the paint particles might be too small to be caught in a filter. If it is a Class 5 bridge or was repaired using State funds, there is a statute that covers these things that the town could be forced by the State to do things according to the State directive. Rick Riendeau noted that there was wood that was replaced with steel but he does not know where that funding came from, whether it was from the State or the town.

Selectman Putnam spoke with the Governor’s office about if the state wants to spend this amount of money to have the town jump through hoops for this process. Chairman Daniels is going to call DES about what the State’s exposure is and if it could just be wrapped in plastic to keep it contained and lifted off with a crane. The Department of Historic Resources is another player in the green bridge removal. Rick Riendeau indicated there are also archaeological areas around the bridge. Selectman Putnam suggested contacting a crane company about that possibility? Rick Riendeau has had five bridge contractors around the table during these discussions. We have three bidders. Vice Chairman Fougere asked if we have asked those three bidders about removing it with a crane. Mr. Riendeau indicated they have engineering done in their bid. Chairman Daniels asked for the names of the three bidders. Mr. Riendeau will provide that to the Board of Selectmen. The DES permit runs out at the end of September and an extension was granted to November 30. Vice Chairman Fougere asked if it would be worth asking about removal by crane. Mr. Riendeau thinks that every option is open, we did ask the question about lifting the bridge by crane and nobody came forward saying they could do that.

6) **Board of Selectmen Goals.** The goals will be updated with changes such as Middle Street parking and the bridge assessments and green bridge will be added. Guy Scaife noted that the assessment is done. South Street is ongoing, the issues on that are easements, and we have not gotten any responses back yet. West Milford Water Main will be updated as well.

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

- a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Vice Chairman Fougere asked about the bricks on the oval, a lot of which are loose, soon the Pumpkin Festival will be here and thousands of people will be visiting and we should have bricks removed or replaced that are a tripping hazard. Is this something that can be done in-house? Mr. Riendeau said if we have a contractor do it, it is better for DPW. It is budget time and everyone is trying to stick to the budget. Mr. Riendeau has been trying to get projects like that taken care of but things come up. Vice Chairman Fougere said if we cannot do it in-house, we should go out to bid to have those fixed. Selectman Bauer also noted the weeds in the sidewalks look horrendous and asked if that will be treated prior to Pumpkin Festival. Mr. Riendeau said it will be done and noted the new Foreman is in a class now to become certified with pesticides.
- b) **OTHER ITEMS (that are not on the agenda).**

8. **APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the Board of Selectmen minutes of August 11, 2014 as presented. Selectman Bauer seconded. All were in favor. Motion passed 4/0. The minutes of July 28, 2014 were postponed until the next regular Board meeting.

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

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

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5 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into Non-public session at 7:30 pm in accord-
6 ance with RSA 91-A:3 II (a & b) personnel. Selectman Federico seconded. All were in favor. Motion passed 4/0.
7 After discussion, Selectman Putnam moved to exit the non-public session. Selectman Bauer seconded. All were in
8 favor. Motion passed 4/0 and the Board exited non-public session at 7:30 p.m. Vice Chairman Fougere announced
9 that in non-public session the Board addressed two personnel issues, and that the minutes of the non-public session
10 were sealed.

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12 **12. ADJOURNMENT:** There being no further business to come before this meeting, Selectman Putnam moved to
13 adjourn at 7:35 p.m. Selectman Federico seconded. All were in favor. Motion passed 4/0.

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18 Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

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23 Katherine Bauer, Member

Mike Putnam, Member

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28 Kevin Federico, Member