

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
October 27, 2014

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

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

INSTRUCTIONS: Chairman Daniels called the public meeting to order at 5:35 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. Chairman Daniels announced that in non-public session the Board discussed a land acquisition issue, no decisions were made.

2. APPOINTMENTS:

5:00 p.m. – Non-Public (RSA 91-A:3,II(d) Land Acquisition. Selectman Bauer moved to enter into Non-public session at 5:10 p.m. in accordance with RSA 91-A:3 II (b,c and e) personnel, reputation and legal. Selectman Federico seconded. Motion passed 5/0. After discussion, Selectman Putnam moved to come out of non-public session at 5:25 p.m. 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 had discussions regarding a land acquisition and approved two sets of non-public minutes from October 13, 2014. The minutes of this non-public meeting have been sealed.

5:30 p.m. – Appointment of Tim Finan to the Planning Board. Tim Finan was invited up to the table for this appointment. Selectman Putnam asked what Mr. Finan's vision is for the town going forward. Mr. Finan responded there is a lot going on right now. A lot of interesting work has been done, and they are working on the sign ordinance right now. Mr. Finan has been involved in Planning for a while and has been on several subcommittees working with Planning. Selectman Bauer thinks this is great. Selectman Putnam moved to approve Tim Finan as an alternate member of the Planning Board. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0. It was also noted that there was a change in leadership on the Planning Board, changing the Chairperson from Janet Langdell to Christopher Beer.

5:35 p.m. – Assessing – Land Use change Tax – Map 8, Lot 31. Selectman Bauer recused herself from this discussion, as the applicant is her neighbor. Steve Trombly has requested a discussion with the Board of Selectmen regarding the Land Use Change Tax billing. Marti Noel, Town Assessor, has recommended that Map 8, Lot 31 be removed from Land Use Change Tax, as this piece of land that was previously being hayed, is now being re-graded and in so doing he will remove earth products from the site, therefore Ms. Noel feels it must be removed from Current Use. Ms. Noel values the land at \$65,000 with LUCT of \$6,500, when he has finished with this excavation, he can farm it again and put the parcel back into Current Use. Steve Trombly said the issue is that when this started, it was to enhance the farm-ability, there is sand in the hill causing a problem and removing that sand generates income. Mr. Trombly's issue is that he asks what is the difference with doing this (which generates income) and harvesting timber (generating income)? Ms. Noel stated that a timber harvest is the one exception in the statute, removing soil for sale from the property is different from timber. Mr. Trombly said he would be more than willing to pay the change tax if it was to become a housing lot, but this lot will not become a house lot, but will go back into Current Use. Mr. Trombly would rather not even take it out of Current Use and he is asking for other options. Selectman Putnam asked if this parcel is across from Jennison Road? Mr. Trombly said it is, noting he is taking the sand out to re-grade it so the land can be farmed better. Vice Chairman Fougere said he lives up there and Steve had to go to the Planning Board for the excavation, there is a statute for uses like this, it is to do farming, if it was being done to become house lot, it would be different, this will make it better for farming and for better sight distance. This will make that intersection much safer. To Vice Chairman Fougere, it is farm-related and will make it more productive and he respectfully disagrees with this recommendation.

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1 Ms. Noel indicated her recommendation is based on Mr. Trombly removing the soil for sale, if he were just
2 removing the soil, that would be different but it is because he is removing it for sale. Selectman Federico would like
3 to review more on this, but agrees that if it was to become a house lot, that would be different, but it is just to better
4 farm it. Selectman Federico has a hard time taking it out of Current Use knowing it is going to go right back in.
5 Selectman Federico would like to see more of the RSA being referenced. Selectman Putnam said as a Board, we
6 have been pushing for economic development and what Mr. Trombly is looking to do will increase the farm capabil-
7 ity so he would not want to take it out of Current Use. Ms. Noel said an open ended time limit would not serve the
8 purpose, Mr. Trombly has another parcel being handled like this and has an open ended use right now, she thinks
9 there should be a time frame on it if it stays in Current Use. Until recently, there has not been a big demand for
10 sand, according to Mr. Trombly, but now it is in demand. Mr. Trombly is paying the State tax on it. Ms. Noel is not
11 giving leeway from the statute. Chairman Daniels would also like another week to look through the statute. Chair-
12 man Daniels thinks this is a good opportunity to become familiar with the statutes. Selectman Putnam asked Mr.
13 Trombly if it would be a problem to put off a decision for another week. Mr. Trombly said it would not. Ms. Noel
14 needs an approximate date of when the activity started. Mr. Trombly stated it was about September 1, 2014. Ms.
15 Noel noted that the Current Use handbook is on line and is also in her office in hard copy.

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17 **5:55 p.m. – Abatement Appeal Resolutions Map 14, Lot 47-1 and Map 7, Lot 20-C-6.**

18 **6:05 p.m. – Assessing – Land Use Change Tax Warrants – Several Parcels.**

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20 Marti Noel, Town Assessor, presented information on several properties being removed from Current Use. One of
21 such will not be presented as the Attorney called today and requested it be tabled for tonight. Selectman Putnam
22 moved to approve the three parcels being removed from Current Use as follows:

23 Map 51, Lot 3-12

24 Map 45, Lot 17-3

25 Map 43, Lot 70

26 Selectman Federico seconded. All were in favor. Motion passed 5/0.

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28 The parcel that was tabled was Map 53, Lots 68 and 68-1.

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30 Ms. Noel presented the information on the Resolution of Appeals / Abatements for Map 7, Lot 20-C-6. Selectman
31 Putnam moved to approve the abatement request for Map 7, Lot 20-C-6 in the amount of \$2,022.75. Selectman
32 Bauer seconded. All were in favor. Motion passed 5/0.

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34 The abatement / appeal settlement for Map 14, Lot 47-1 was presented to the Board for signature as it was settled at
35 the BTLA.

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37 **6:15 p.m. – Assessing – 2015 Solar Panel Warrant Article.** Ms. Noel indicated the Town of Milford currently has
38 two properties receiving the solar exemptions, based on the cost at the time the panels were installed. Ms. Noel is
39 seeking a more definitive method of calculating these exemptions. When Ms. Noel sees solar panels being installed,
40 she has no way of adding it on a house. It is currently a redundant system, currently she does not add a value to the
41 solar panels that are on the house but just makes a note on the record card. We have two homes now with the ex-
42 emption which is the cost of the panels when they were installed and is being deducted every year from the value on
43 the property. Selectman Putnam would like to do a little more research on this. Vice Chairman Fougere has seen a
44 property in Henniker that is adding solar panels to the entire backyard so that they can sell the electricity back and it
45 is generating more in order to have a community use. Ms. Noel said the current solar exemption is for use (of the
46 electricity) on the property. Selectman Putnam asked if those people have to apply every year? Ms. Noel said no,
47 she does not ask if the panels are still functioning. Ms. Noel has provided some language but thinks it will need to
48 be modified with the amount of money. Ms. Noel is looking to define what the solar exemption would be. If she
49 sees no value added, then there is no value that can be removed. She is looking at adding values for the system, then
50 provide an exemption from the assessed value. Ms. Noel is just opening this up for discussion but it is something
51 that is coming. Ms. Noel sees an exemption as an incentive to do this type of thing. Because we have two homes
52 with the solar exemption, anyone can come in to apply for it but Ms. Noel has nothing to go by. Selectman Federico
53 would like to see how the values are being applied, what assessment are they putting on it? Ms. Noel is not aware of
54 anyone with a solar grid but only solar panels. The City of Keene has something set up, as well as Portsmouth, she
55 will pull together more information to help review this.

56
57 **3. PUBLIC COMMENTS.** There were no public comments made at this time.

1 **4. DECISIONS.**

2 a) **CONSENT CALENDAR.**

3 **1) Request for Approval of Timber Tax Levy, Map 40, Lot 27.** Selectman Putnam moved to approve
4 the Timber Tax Levy in the amount of \$223.75 for Frank & Christine Radiof of 491 Mason Road. Vice Chairman
5 Fougere seconded. All were in favor. Motion passed 5/0.

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7 b) **OTHER DECISIONS.**

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9 **5. TOWN STATUS REPORT**

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11 **6. DISCUSSIONS**

12 **1) Traffic Safety Concern – Street Light Requested on Shady Lane.** Vice Chairman Fougere asked if traf-
13 fic lights always go through the Traffic Safety Committee? Chairman Daniels said we do not get them often, but
14 yes. Chief Viola indicated there was one off West Street, he looked at that situation. Selectman Bauer drove up in
15 this neighborhood today, there is one light at the bottom, but at the T-intersection, there is no street light. The letter
16 says there is a light that is not working on this street. Captain Frye said there is about 30 feet until you get to some-
17 one’s yard, and there is no light and it is dark, there maybe should be a light there for safety. Selectman Bauer
18 thinks everyone should take a look at this neighborhood at night. Chairman Daniels said we should ask DPW how
19 much it would cost to install a street light and how much it costs per year for it. Jack Sheehy noted that is in the
20 DPW budget. Chairman Daniels suggested all members take a look this week (at night) to observe the area.

21 **2) Library Annex.** Welfare and Southern NH Services have officially moved from the Library Annex today.
22 The Library Annex is now empty except for the Milford Improvement Team (MIT). The Library Trustees would
23 like the building to be winterized and shut down for the winter. Unless the town wants to rent it out. If we rent the
24 offices out, the town would still maintain the building and services. Selectman Putnam does not want the town in
25 the rental business. Vice Chairman Fougere said we should invite MIT to come have their office at the Town Hall.
26 Selectman Federico noted the Library annex is expensive to heat. Vice Chairman Fougere agrees with just closing
27 up the building. Consensus of the Board is that the building be winterized shut down and not rented out.

28 The old Ambulance Director’s office would make sense to move MIT into. All members agreed that it would
29 work. Vice Chairman Fougere suggested MIT would move there until the Town Hall renovation is in process and
30 we can let Wendy know that if there are renovations coming around, that she needs to be flexible. Consensus of the
31 Board is to move MIT down into the old Ambulance Director’s office. Selectman Putnam to notify Wendy Hunt
32 and have something for her next week. Chairman Daniels announced that Welfare has moved to the SHARE build-
33 ing on Columbus Avenue, in the old Knights of Columbus building. Selectman Bauer went to the Open House at
34 SHARE, and said it is beautiful and will serve the town very well.

35 Chairman Daniels noted that Janet Langell has stepped down as Chair of the Planning Board due to scheduling
36 issues; she is still on the Board but not as Chair; Chris Beer has taken on that role temporarily.

37 3) **Voting Day Poll Schedule.**

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

40 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Bill Parker, Com-
41 munity Development Director said the bids came in higher than expected for the Route 13/Armory Road project and
42 therefore the town portion would be higher than anticipated. Jack Sheehy said it would be approximately \$54,000
43 and he checked with Bill Drescher who said we can take that from this year’s budget so we would not need to do a
44 Warrant Article. The question is, do we want to do that this year? Do we have the money to do it this year? Jack
45 Sheehy cannot speak for other departments but looking through his numbers, he feels we have \$25,000 available
46 from the workman’s compensation insurance. Selectman Putnam added that the leftover Town Administrator salary
47 for 2014 could also be used.

48 Selectman Putnam moved to encumber the \$54,000 from this year’s budget (2014) and keep the project moving
49 forward. Selectman Bauer seconded. Chairman Daniels said he is concerned about DPW overruns and how they
50 are being handled. Jack Sheehy said the Board would have to ask Rick Riendeau for those details. Selectman Put-
51 nam said he is sure there will be enough excess to cover that work. Chairman Daniels agreed we should get this
52 done. Vice Chairman Fougere said if we find we cannot do it with this year’s funds, we should still make that
53 commitment. When talking about it, Jack Sheehy said the money does not all have to come from this year, the town
54 just has to make the commitment to the State. All were in favor of the motion. Motion passed 5/0. Selectman Fed-
55 erico indicated he will let Bill Parker know of this decision.

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57 b) **OTHER ITEMS (that are not on the agenda).** A work session has been scheduled for Wednesday, Oc-
58 tober 29 at 1:00 in the Board room.

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8. APPROVAL OF FINAL MINUTES. There were no minutes presented at this meeting.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

10. NOTICES. Notices were read by Chairman Daniels.

11. NON-PUBLIC SESSION. There was no non-public session this evening.

12. ADJOURNMENT: There being no further business to come before this meeting, Selectman Putnam moved to adjourn at 6:40 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Kevin Federico, Member