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APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
November 24, 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

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 three issues; no decisions were made, no votes were taken.

2. APPOINTMENTS:

5:00 p.m. – Non-Public (RSA 91-A:3,II(c,e) Reputation and Legal. Selectman Putnam moved to enter into Non-public session at 5:00 p.m. in accordance with RSA 91-A:3 II (c and e) reputation and legal. Selectman Bauer seconded. Motion passed 5/0. After discussion, Selectman Federico moved to come out of non-public session at 5:28 p.m. Selectman Putnam seconded. All were in favor. Motion passed 5/0 and the Board exited non-public session at 5:28 p.m. Chairman Daniels announced that in non-public session the Board addressed reputation and legal issues. There were no votes taken and no decisions made. The minutes of this non-public meeting have been sealed.

5:30 p.m. – Appointment of Tina Philbrick to the Traffic Safety Committee. Chairman Daniels asked Ms. Philbrick why she would like to be on the Traffic Safety Committee. Ms. Philbrick responded that she does have concerns with the traffic in town and she wants to see the process in making the decisions in those matters. It is also important to be involved in the community. Ms. Philbrick indicated that she has extra time and this is a worthwhile committee. Chairman Daniels indicated the Traffic Safety Committee must follow the Uniform Manual of Traffic Safety Control, similar to what the Zoning Board of Adjustment must follow for its guidelines for the community. There were no further questions. Selectman Putnam moved to appoint Tina Philbrick as a full Traffic Safety Committee member. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

5:35 p.m. – Land Use Change Tax – Map 48 Lot 64. Town Assessor Marti Noel indicated this is a 24-acre parcel and a small portion (.8 acre) is requested to come out of Current Use. Chairman Daniels asked if it is typical for people to come to the town requesting it to come out of Current Use as opposed to the town discovering that current use land is being used for non-conforming uses. Ms. Noel explained that sometimes this is found through building permit reviews. The statute requires that people report it to the Assessing office, it is their obligation, but it is something the Assessor keeps her eyes on. Ms. Noel said the town has some leeway with “date of discovery”; we won’t lose the LUCT but if it is seven years before it is discovered, we would lose that in taxes. Selectman Putnam moved to remove this partial lot from Current Use and to apply the Land Use Change Tax. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

5:45 p.m. – Assessing Sales Report – Municipal Assessment Data Sheets (MADS). Town Assessor Marti Noel indicated this Municipal Assessment Data Sheet (MADS) report is done yearly and is a listing of sales in town. This list includes sales that are included in the equalization ratio. So in 2014, Vice Chairman Fougere said there were 116 sales of single family homes. Ms. Noel said yes, that category carries the brunt of our sales. The market has been very stable in that area; there will be some sales that will be higher or lower than the ratio. For the most part, our assessment is pretty close to the sales price. The DRA may decide if some sales might be excluded or included. We get the equalization ratio in February or March. Selectman Putnam moved to accept the MADS. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

6:00 p.m. – Solar Energy System Exemption – 2015 Warrant Article Discussion Follow-Up. Town Assessor Marti Noel indicated she talked to the Board on October 27 about presenting a Solar Energy System Exemption

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1 Warrant Article to voters in March. Ms. Noel has looked through the records to find the decision on the previous
2 solar exemptions, but has not found anything. What is currently done is based on the total cost of the installation,
3 which carries forward every year. Ms. Noel thinks it would be wise to look at what the solar panels contribute to the
4 property. Ms. Noel wondered what other towns are doing. The DRA said there are 138 communities that do not
5 have this exemption. We could say to just zero out the exemption. Ms. Noel would like to present an exemption up
6 to \$5,000; as this becomes more and more accepted, people will want to have these systems. There are some com-
7 munities that have similar wording to Milford's. When Milford gives it a value, we will give it an exemption; there
8 are several ways of handling it. Ms. Noel would like to see this become a warrant article for 2015.

9
10 Selectman Putnam would like to think about this. Vice Chairman Fougere said if it costs someone \$20,000 to install
11 solar panels on their house, then what? Vice Chairman Fougere asked if it gets added to the assessment, does the
12 assessment then go down by \$5,000 according to the current exemption? Ms. Noel said the solar panels are just a
13 component of what it contributes to the home. Ms. Noel is proposing having a contributing value, with an exemp-
14 tion of \$5,000 so it can be measured. Vice Chairman Fougere would like to have a time limit for the exemption.
15 Selectman Federico thought another community had a five year limit on this exemption. Selectman Federico said it
16 is too early to tell what it should be. Ms. Noel agreed but we can re-visit it periodically like other exemptions. Ms.
17 Noel wants to make sure the home owner is committed; this is just a housekeeping issue. Chairman Daniels asked if
18 he had a solar energy system that cost \$10,000, but the assessment cited no value added, could \$5,000 be taken off
19 the assessment? Ms. Noel said from the assessed value, yes. Chairman Daniels said the Board needs to be sure the
20 language is what it really wants.

21
22 If in the marketplace, homes with solar panels start to be sold for more money, Vice Chairman Fougere said this
23 exemption would come into play. Ms. Noel will try to re-evaluate the wording and the Board can help to make it
24 clearer. Chairman Daniels said if it is a five year term, the system might not be worth what it was when it was in-
25 stalled. Ms. Noel said the value does not have a depreciation element but the exemption would not change. That
26 might have been part of the five year limit. Chairman Daniels said we can put this on the next agenda for further
27 discussion. Vice Chairman Fougere suggested finding out the wording Portsmouth uses.

28
29 **6:15 p.m. – MIT – Waiver of Overage from the Warrant Article Amount.** Wendy Hunt, MIT Director and Ed
30 Killam, MIT member, were present for this discussion regarding the 2014 Pumpkin Festival overage from the Town
31 of Milford costs from what the Warrant Article provided. Ms. Hunt indicated in January it will be her first anniver-
32 sary with the Town in this position. In the past, the beautification of the oval had been done by volunteers, however
33 that is no longer the case and has increased those costs. As time moves forward, MIT has been invoiced for some
34 items that were not previously invoiced. MIT recognizes the hours that are put in by the town employees. The 2012
35 total cost versus 2014 costs has gone up quite a bit. This year it was \$3,700 over the invoice for town services, it
36 was pretty significant having that overage. With the plantings being part of the warrant article, that takes up a big
37 portion of the total amount and the person doing the oval beautification no long volunteers, but now charges for that
38 time.

39
40 Ed Killam said the overage from the warrant article amount was not expected, we were not prepared to absorb the
41 overrun. Selectman Putnam asked if the revenue numbers from the Pumpkin Festival are complete yet. Ms. Hunt
42 responded that they are still being worked out. Ms. Hunt wanted to bring it to the attention of the Board of Select-
43 men that the warrant article should be looked at and possibly revised to reflect the change in cost of decorations and
44 plantings for the holidays. The big difference is the volunteering for that work which is now being charged. Vice
45 Chairman Fougere said the warrant article is currently \$20,000 to pay for the town services; that \$20,000 also should
46 cover the decorations. Mr. Killam said they wanted to know how it is figured out. On the plantings, we think there
47 might need to be something different to cover that. Ms. Hunt is happy to take it on, she was not aware that some of
48 this has not yet been invoiced. The decorations and plantings and beautification might need to be done by someone
49 else. Mr. Killam said MIT is more of a facilitator, but now there is not enough money. Ms. Hunt would like to see
50 the cost of plantings and decorations separated to show what we are looking at. Chairman Daniels said this was not
51 the first time an overage has happened, any overage has just been absorbed in the budget. Chairman Daniels wanted
52 to see what the real prices are as we are now in the budget process. All members should take some time to review
53 the information. We could not do the festival without all the staff contributions but someone needs to pay the bills
54 as well.

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56 **3. PUBLIC COMMENTS.**

57
58 **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. Selectman Federico seconded. All were in favor. Motion passed 5/0.

1) **Request for Approval of Voluntary Lot merger Map/Lot 52-18-6 into 52-18 Episcopal Church/Rotch Property.** The request for approval of a voluntary lot merger of Map/Lot 52-18-6 into 52-18 Episcopal Church/Rotch Property in order for the Conservation Commission to merge this property with the Rotch Wildlife Preserve Town Forest was approved.

2) **Request for Approval of 3 Abatements Map/Lot 47/14-1, M/L 7/20-C-6 and M/L 7/20-C-10.** The three abatements being presented tonight had previously been approved at the October 27, 2014 Board of Selectmen meeting for 2013 abatements of the following properties: M 47/14-1; M 7/20-C-6 and M 7/20-C-10. This request was approved.

3) **Request for Acceptance of Donation from the Ghost Train Trail Races for the Rail Trail Fund \$7,015.46.** The Conservation Commission requests permission to accept the donations totaling \$7,015.46 from the Ghost Train Trail Races for the Rail Trail Fund. This request was approved.

4) **Request for Approval of Full Release of Securities for Spring Creek Sand and Gravel, LLC.** The request for full release of securities for Spring Creek Sand and Gravel LLC in the amount of \$22,500 was approved.

5) **Request for Approval of 31:95(b) Unanticipated Revenues Under \$10,000.** The request for approval of unanticipated revenues under \$10,000 was approved as follows:

Source	Total	Purpose
Cirtronics Corporation	\$250.00	Donation to the Milford Fire Department for fire extinguisher training on Nov. 4, 2014.
Milford Recreation Commission	\$678.04	Donation to the Kaley Softball Field Special Purpose Fund from the 2014 Coed Wooden Bat Softball Tournament Fundraiser.

b) **OTHER DECISIONS.**

1) **BAC Funding Form Review.** Chairman Daniels said that the Budget Advisory Committee (BAC) has requested organizations requesting funds to use the same form to request funds through the BAC so that the BAC can understand what the need is. There is no reason why we cannot share the information. Chairman Daniels asked if people feel this form will be helpful. Selectman Putnam asked why does another form need to be used? We have never had this before. Chairman Daniels said it is to get a common type of request from the different organizations. Selectman Bauer felt the form was too difficult and should be shorter. It seems too detailed. Selectman Putnam asked if the BAC should come in to explain it to the Board of Selectmen? In speaking with someone at the Deliberative Session, Selectman Federico said they were saying they need more detail from the organizations seeking funding. Chairman Daniels said the BAC will be meeting next week on Wednesday. Chairman Daniels said he can ask the BAC to come in to explain the form. Selectman Putnam said they should not need an appointment. Selectman Bauer thinks the form is way too detailed for someone to fill out, and feels the form is unnecessary. Selectman Putnam suggested just getting more information via e-mail. Chairman Daniels said this Board does not need to use this form, it is for BAC use. If the BAC wants to use the form, Vice Chairman Fougere said they can. Selectman Bauer does not think this is useful, it is too much information and is over the top. Selectman Federico has no problem with the BAC using this form. Chairman Daniels will send an email to the BAC Chair asking questions about what they are trying to accomplish with the use of this form. Selectman Putnam said maybe we could suggest simplifying the form.

2) **Shady Lane Light Decision.** Chairman Daniels indicated that DPW Director Rick Riendeau was going to do some research on this from the last discussion. Mr. Riendeau talked to the complainant who would like more light at the intersection, but the trail is another part of the request. After talking about putting a light on the existing pole, Mr. Riendeau believes that would alleviate 90% of her concerns. Selectman Putnam asked how much that would cost (installing a light on the existing pole). Chairman Daniels responded about \$800 plus the cost of operation. Chairman Daniels reviewed the discussion from the November 10 meeting for Selectman Putnam who was not present at that meeting. Passing through the neighborhood, there are no lights but there are house lights. Shady Lane is not a new road, it has always been kind of dark. The existing pole is about half way up the road. Selectman Putnam moved to not install the street light. Chairman Daniels seconded. Selectman Federico balances safety and cost and comfort. Selectman Federico does not want to be on the hook for every dark corner in town. Chairman Daniels, Vice Chairman Fougere, Selectman Federico and Selectman Putnam were in favor with Selectman Bauer opposed. Motion passed 4/1.

3) **Mile Slip Road Update.** Chief Viola and Rick Riendeau both concurred that they are still keeping an eye on the speed on Mile Slip Road; Mr. Riendeau said the Chevron style sign has been installed at the "S" turn.

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1 Chief Viola said there have been no recent problems. Selectman Putnam moved to take this issue under considera-
2 tion. Selectman Federico seconded. All were in favor. Motion passed 5/0.
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4 **4) Decision on Dam Removal, Reference Dam Removal Study.** After review of the information and
5 reports, Selectman Putnam moved to leave the dams in place. Selectman Federico seconded. Selectman Federico
6 said the presentation 6-8 weeks ago was enlightening and helpful. Vice Chairman Fougere has had major concerns
7 about this for years. He sees the dams as part of the town history and feels it would be devastating to remove them.
8 If there was a way to provide passage for fish, Vice Chairman Fougere would be willing to listen, but he is not in
9 favor of removing the dams. Selectman Bauer agreed. Selectman Federico agreed; if we can solve the fish passage
10 another way, we can do that. Chairman Daniels asked about the repairs required to the dams? Vice Chairman
11 Fougere we will have to continue to do what we have been doing to repair the dams. Even some of the deficiencies
12 mentioned were not that big. There was no further discussion. All were in favor of the motion. Motion passed 5/0.
13

14 **5) Gas Pipeline Information Review.** Chairman Daniels said that Kinder Morgan has identified a new
15 route through Winchester and through towns in southern New Hampshire. That route cuts through Milford and fol-
16 lows the power lines. Vice Chairman Fougere indicated that the newspaper mentioned that the southern NH route is
17 the preferred alternative. Vice Chairman Fougere wants to follow this closely, his biggest concern is they are using
18 the power line right of way and the blasting required with the number of wells in the area could cause potential dam-
19 age to homes/wells because of the blasting. It would be a good idea to bring in a consulting firm for ground water.
20 Selectman Bauer asked what happens if Milford denies this proposal? Vice Chairman Fougere said we have to
21 make an argument, we would get notified, (the State of NH oversees this) and we have to make an argument and
22 submit documentation with why the town does not want it here, stating what the concerns are.
23

24 Selectman Bauer asked if it is the State's decision. Vice Chairman Fougere said yes, they report the information to a
25 Federal agency. Vice Chairman Fougere said there was talk of a line going through Amherst and that there might be
26 a storage facility. Selectman Putnam said we would have a "tap" to bring it to Milford. Chairman Daniels said this
27 route was chosen because Hollis had a lot of opposition early in the process; Kinder Morgan is going to file a pre-
28 liminary route through Federal Energy Regulatory Commission (FERC), this route would go through 17 towns and
29 would require them all to hold public hearings. That would give Milford the opportunity to bring forward questions
30 about if the town will hook up. Chairman Daniels is concerned with leakage and how is that handled; Kinder Mor-
31 gan wants to meet in December, he asked about meeting with the Board but they said they are not ready to meet with
32 the full Board yet. This would just be to market in the community; that meeting is tentatively scheduled for Decem-
33 ber 9 when Chairman Daniels will meet with Kinder Morgan representatives. Most of the 17 towns will be meeting
34 with them in December as well.
35

36 Vice Chairman Fougere said Milford needs to find out if there will be any pressure facility in Milford, which could
37 create noise. Vice Chairman Fougere asked for a list of residents along the power lines to let them know this is go-
38 ing on. Even though it is preliminary, he thinks we should notify the people living along the power lines. In Hollis,
39 Vice Chairman Fougere said they have established a task force that keeps track of it, Milford may want to do the
40 same thing. Chairman Daniels' concern is that in Southern NH we have some of the highest electricity rates. We
41 have plants in town that have to deal with the rates. We can be open to solutions as to how we can help solve this.
42

43 **5. TOWN STATUS REPORT**

44 **6. DISCUSSIONS**

45 **1) Traffic Safety Concern – School Entrance Sign – Montessori School.** A letter was received from the
46 Colonel Shepard Montessori School regarding the safety of families entering and exiting the school onto a busy
47 street (Route 13). As such, they have requested a sign be erected notifying drivers of the school entrance. Select-
48 man Bauer asked if Route 13 is a State road or town road. Chairman Daniels asked if it is a State road that the town
49 maintains, to which Rick Riendeau responded the section close to the oval is considered a town portion of the road,
50 which the town maintains and is responsible for signage. Vice Chairman Fougere moved to have this issue forward-
51 ed to the Traffic Safety Committee (TSC). Selectman Putnam seconded. Chairman Daniels indicated the next meet-
52 ing of the TSC is on December 8. All were in favor. Motion passed 5/0.

53 **2) Middle Street Parking Discussion.** Selectman Putnam thinks this Board should rescind the decision made
54 to create additional parking on Middle Street because it will affect the businesses that use that section of Middle
55 Street for loading/unloading. Selectman Putnam moved to rescind the decision to add four additional parking spaces
56 on that section of Middle Street. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

57 **3) Review of Assessing Format.** There was an appointment a few weeks ago with Mr. Horne who requested
58 that there is a disconnect when a property owner rents out a property and the town is performing a reval. There is no

obligation for a tenant to give the owner the card left by the Assessing department and he was not made aware of the need for an interior visit. Selectman Putnam said that Mr. Horne owns several properties in Milford but how far does the town need to go to expend money on mailings to let the owner's know they were there? Chairman Daniels said the Assessor goes out and leaves a card if there is no one there, indicating they should call Assessing to set up an appointment for an interior inspection. Selectman Putnam asked what would it cost the town for a mailing? Vice Chairman Fougere said it is more than just a mailing; if they do not live at the property, the Assessor would need to research what is a rental and what is not, so that they can mail a letter. Selectman Putnam has never heard a complaint about the process until now. Selectman Federico said 99% of NH does the Assessment the same way, by leaving a card. A tenant who resists passing the information to the landlord is not the town's issue. Selectman Federico does not want to change the way things are done because of one person; if this person has a lot of properties in town, he should pay more attention. Selectman Putnam moved to keep the process the way it is. Selectman Bauer seconded. Chairman Daniels asked what is on the card? Selectman Federico believes it has the pertinent information, name, department, phone number and request to call. All were in favor. Motion passed 5/0.

4) **Proposals for Legislation.** Chairman Daniels asked if anyone has any legislation they would like to see proposed. Selectman Putnam said the Fire Tower in Milford is owned by the State, and they charge MACC base \$1000 per year to have the antenna installed on it, but the State does not pay any property taxes on the land. Milford should not have to pay to have its antenna on the fire tower, while the state is exempt from property taxes. Jack Sheehy said he is not aware of anything that the State pays the town for that property.

7. SELECTMEN'S REPORTS/DISCUSSIONS.

a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Chairman Daniels announced that the next Traffic Safety committee (TSC) meeting is on December 8, 2014 at 4:00, which will cause the Board of Selectmen meeting to start at 5:30 instead of 5:00 that evening.

b) **OTHER ITEMS (that are not on the agenda).** Vice Chairman Fougere announced that he would like to extend sympathies on behalf of the Board of Selectmen to Janet Langdell, whose mother passed away last Saturday.

Budget: Chairman Daniels indicated currently the budget has a 7.1% proposed increase and the default has a 4.9% increase over last year; budget discussions continue.

8. APPROVAL OF FINAL MINUTES. Selectman Putnam moved to approve the minutes of October 27 and November 10, 2014 as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

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 7:28 p.m. in accordance with RSA 91-A:3II(d) Land Acquisition. Selectman Federico seconded. All were in favor. Motion passed 5/0. Vice Chairman Fougere moved to approve the non-public minutes of October 27, 2014 (Land Acquisition). Selectman Putnam seconded. All were in favor. Motion passed 5/0.

12. ADJOURNMENT: There being no further business to come before this meeting, Selectman Putnam moved to adjourn at 8:12 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