

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
March 23, 2015

PRESENT: Mark Fougere, Chairman
Kevin Federico, Vice Chairman
Gary Daniels, Member
Mike Putnam, Member
Katherine Bauer, Member
Mark Bender, 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., introduced Board members and then led the audience in the Pledge of Allegiance. 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:

5:30 p.m. – Swearing in of New Selectmen/Selection of New Board of Selectmen Chairman and Vice Chairman. Chairman Daniels handed the meeting over to Town Administrator Mark Bender who was asked to conduct the swearing in of re-elected Board members Gary Daniels and Mark Fougere and conduct Board of Selectmen nominations for officers. Mark Bender asked that Town Clerk Peg Langell please handle the swearing in of members. After the new Board was seated, Mark Bender asked for nominations for Chairman of the Board. Selectman Putnam moved to nominate Mark Fougere for Chairman. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

Chairman Fougere took over leading the meeting at this point and asked for nominations for Vice Chairman. Selectman Putnam moved to nominate Selectman Federico for Vice Chairman. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

5:40 p.m. – Community Development Block Grant. Bill Parker, Community Development Director, and Joia Hughes, representing Red Oak, wished to provide information to the Board regarding the proposed expansion of the Red Oaks Apartments on Capron Road. Ms. Hughes wanted to provide information to the Board of Selectmen about a pending CDBG for this proposed development for 128 units. Currently there are 396 market rate units on this property; with this expansion, there will be an additional 90 affordable housing units and the balance would be at market rate. Ms. Hughes explained the full application will go forward if it goes through at pre-application. The required public hearings will be held in the appropriate time frame. Selectman Daniels asked why does this Board have to approve the CDBG? Bill Parker explained that technically, the Board of Selectmen is the applicant for the CDBG and Red Oak is the sub-applicant. Ms. Hughes indicated a public hearing will need to be held at some point.

Vice Chairman Federico read the materials that were provided and he confirmed this property is behind the Nashua Eye building, which Mr. Parker confirmed. Selectman Bauer said this is already an apartment complex and this will increase the traffic on Nashua Street; she sees the need for another traffic signal in that area. If the approvals are not provided from the Town, Ms. Hughes indicated that this project will not move forward. Selectman Bauer said she is not against the development, but she is concerned about the traffic. Ms. Hughes said a traffic study is now being looked into. Chairman Fougere agreed and added that there is an issue of pedestrian traffic because of the lack of sidewalks and due to traffic. Chairman Fougere's concern is that Milford has over a thousand apartments in town already, Milford has gone above and beyond what other towns have done for the lower income rentals. Going over that 75% (of apartment housing) concerns him; we have had some issues in some of the apartment complexes in town and he would like feedback from the Police Chief on that. Chairman Fougere wonders why the high ratio of lower income apartments? 50-60% of the apartments in town will be lower income. Selectman Bauer asked what is considered lower income. Ms. Hughes tried to explain the lower income is 40-50% of the median income which is \$55,000 per year and that is provided by Housing and Urban Development (HUD).

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1 Ms. Hughes indicated this expansion will be done in two phases, noting the building costs are approximately \$12
2 million each. Research has been done by NHHA and we are hoping this development might address some of the
3 concerns and the demand. Selectman Bauer asked what area those numbers come from. Ms. Hughes said those
4 numbers are from the J Metro statistics area, which ends up in Nashua. Chairman Fougere has no problem with the
5 multi-family use for this proposal, but is concerned about the target use. Chairman Fougere would like more infor-
6 mation and noted the Board is not obligated to support this. Selectman Daniels said there are public hearings for
7 this. Selectman Daniels moved to approve the application for the CDBG. Ms. Hughes indicated that cannot be done
8 until the public hearing; she said she can pull together additional information prior to that public hearing.

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10 Mr. Parker pointed out one concern that has come up is the number of children in this type of project. Another de-
11 mographic that this type of complex would reach is the seniors. Selectman Daniels asked how many public hearings
12 will be held and how are they spaced out. Mr. Parker responded there are several public hearings for CDBG, Plan-
13 ning Board, Conservation Commission and Zoning Board of Adjustment. Selectman Daniels asked if the public
14 hearings happen before all of the other meetings? Ms. Hughes responded that they run concurrently to be completed
15 by July and municipality support needs to be provided before that. Each of the public hearings are in different
16 months. Selectman Daniels feels there might be other things that come up when meeting with the other groups.

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18 Vice Chairman Federico asked if a consensus from this Board is required? Ms. Hughes responded that tonight is
19 just for information; the approval will be at the public hearing. It must be posted and noticed in the newspaper ap-
20 propriately. They are applying for \$7.2 million from CDBG; if it is not awarded, they will probably not move for-
21 ward.

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23 **5:55 p.m. – Appointment of Jason Plourde as a Full Member to the Economic Development Advisory Com-**
24 **mittee.** Chairman Fougere invited Mr. Plourde to join the Board at the table. Mr. Plourde said he is interested in
25 being on the Economic Development Advisory Committee (EDAC) and has attended a couple of meeting so far, and
26 noted they seem to be healthy discussions with a lot of different opinions. Chairman Fougere said the committee is
27 a good cross section of people. Mr. Plourde has been working with Wendy Hunt and the Milford Improvement
28 Team (MIT) to get people to come to the Community Open House that is coming up soon. Mr. Plourde feels he can
29 bring a lot to the table. Selectman Putnam thanked Mr. Plourde for stepping up. Vice Chairman Federico moved to
30 appoint Jason Plourde to EDAC as a full member through March 2018. Selectman Putnam seconded. All were in
31 favor and thanked Mr. Plourde for his service. Motion passed 5/0.

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33 **3. PUBLIC COMMENTS.** There were no public comments this evening.

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35 **4. DECISIONS.**

36 a) **CONSENT CALENDAR.** Chairman Fougere asked if there were any items to be removed from the
37 Consent Calendar for discussion. There were no items removed for discussion. Chairman Fougere read all Consent
38 Calendar items for the benefit of those watching the PEG Access live broadcast. Selectman Putnam moved to ap-
39 prove the Consent Calendar as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

40 **1) Request for Re-appointment of Recycling/Solid Waste Committee Members: Bertram Becker,**
41 **Dave Bowden, Steve Trombly, Gerry Guthrie and George Hoyt.** The request for reappointment of Re-
42 cycling/Solid Waste Committee members was approved through March 2018, with the exception of Dave
43 Bowden whose term expires in March 2017.

44 **2) Request for Re-appointment of Traffic Safety Committee Member Dave Wheeler.** The request for
45 reappointment of Traffic Safety Member Dave Wheeler was approved through March 2018.

46 **3) Request for Re-appointment of Recreation Commission Member Heather Romeri.** The request for
47 reappointment of Recreation Commission member Heather Romeri was approved through March 2018.

48 **4) Request for Re-appointment of Zoning Board Members Zach Tripp and Alternate Member Leon-**
49 **ard Harten.** The request for reappointment of Zoning Board members Zach Tripp and Alternate Member
50 Leonard Harten were approved through March 2018.

51 **5) Request for Re-appointment of Conservation Commission Alternate Member Chris Costantino**
52 **and Full Members Andrew Seale and Andy Hughes.** The requests for reappointment of Conservation
53 Commission member Chris Costantino (Alternate) and Andrew Seale and Andy Hughes (Full) were ap-
54 proved through March 2018.

55 **6) Request for Re-appointment of Ethics Committee Member William Fuller, Jr.** The request for re-
56 appointment of Ethics Committee member William Fuller, Jr. was approved through March 2018.

57 **7) Request for Re-appointment of Economic Development Advisory Committee (EDAC) Members:**
58 **Matt Ciardelli, Dale White, Heather Leach, Penny Seaver, Sean Trombly, Don Jalbert and Wendy**

1 **Hunt.** The requests for reappointment of Economic Development Advisory Committee members were approved through March 2018, with the exception of Dale White, Penny Seaver, Don Jalbert and Heather Leach whose terms expire in March 2017 and Sean Trombly whose term expires in March 2016.

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4 **8) Request for Approval to Abate Outstanding Taxes.** The request for tax abatement for a demolished manufactured home located at 111 Old Brookline Road #12 in the amount of \$1,955.63 was approved.

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7 **b) OTHER DECISIONS.**

8 **1) Request for Input & Approval of 2015-2016 Board of Selectmen Meeting Schedule.** Selectman Putnam moved to approve the 2015-2016 meeting schedule as presented. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0

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10 **2) Request for Update to Board of Selectmen Representatives to 2015/2016 Boards, Commissions, etc.** Selectman Bauer indicated she has been the Planning Board representative for quite some time and she would like another Board member to take the lead on the Planning Board. Vice Chairman Federico offered to take one of the meetings but not the other due to a schedule conflict. Selectman Bauer wants to be sure a member who can consistently attend the Planning Board meetings takes the lead. Vice Chairman Federico would trade Library Trustees with Planning Board, but wants to make sure that person can consistently attend as well. Chairman Fougere has a commitment on the nights that Planning Board meets but will find out if he could share the Planning Board with Selectman Bauer. Selectman Daniels indicated that the JLMC meets every quarter, but as the Board representative, he has not been notified. Jack Sheehy indicated he was unaware that Selectman Daniels was on that committee and will make sure he is invited in the future. In the end, it was found that Selectman Bauer and Chairman Fougere will share the responsibilities of the Planning Board representative and Selectman Bauer will be representative to the Library Trustees.

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24 **5. TOWN STATUS REPORT**

25 **a) Review of Proposal for the 2015 Default Budget.** Town Administrator Mark Bender reviewed the proposed budget adjustments to reduce to default budget as prepared by Jack Sheehy and Mark Bender who have been working on this since the town vote. Mr. Bender indicated they were able to bridge the gap between the proposed and default budgets, the default budget being \$13,663,678, and came up with savings that are a little more than what cuts were needed. In reviewing the proposed savings, Mr. Bender explained the 2% raises will be delayed from April until July, saving \$24,100; the springtime brush cleanup will be cancelled, some planned purchases will be delayed or put off until next year; consulting fees and supplies and services have been reduced, as well as other savings that have been found, including the cost of the March 2015 election which came in lower than anticipated. With these reductions, the town will still maintain a portion of one position for the GIS tech in order to continue that work. Chairman Fougere noted that there had been a staff member handling the GIS input and he asked who will now be performing that task? Bill Parker indicated the tasks are ongoing, mostly for stormwater, and information will be downloaded from the Cartegraph, but Jodie Levandowski will handle the load. Mr. Parker also noted there is money being left in that line item for some help if need be for an intern or such.

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32 Selectman Bauer is not comfortable with these further reductions, indicating this Board was in favor of the proposed budget (4/1) with the exception of Selectman Daniels, and these are further cuts made to that budget. Mark Bender said he is not proposing to reduce the budget below the default, the default will become the new budget for Milford, the difference is \$26,000 and our additional savings as identified here tonight are to get those costs at the default level and also to make up for some of the overspending in the areas of snowplowing and other tasks associated with the extreme winter weather. Chairman Fougere asked what kind of training is being cut (from Police Department)? Chief Viola responded they are going to try to do more in-house training that is less expensive; they still have other training budgeted, but are looking at different avenues that are more cost effective. They will do more on-duty training instead of bringing people in on overtime. Selectman Bauer asked what is the reduction in services for the police? Chief Viola responded that is the motorcycle which they are trying to figure out a way to get a second motorcycle or decide to only use one.

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38 Jack Sheehy said the Town is in a time constraint to get information to the Department of Revenue Administration (DRA) for the default budget. Selectman Putnam moved to accept the cuts as proposed. Selectman Daniels seconded for discussion. Selectman Daniels did not know the Board needed to vote on this, this is up to the Town Administrator for day-to-day operations. The Board has input but we should not have to vote. Selectman Bauer has reservations on these additional cuts. Mark Bender would not call them cuts, but would call them savings. He wanted to give the Board a list of where the saving are. About \$97,000 of the savings found are in the salaries and benefits; and he feels it would be in good faith that the Board of Selectmen go through with a salary increase but at a later time in July, instead of April. Mr. Sheehy continued that the additional \$26,000 found, in looking forward, we know we will be short at the end of the year due to the snow storms. In December we did not know the winter would be so difficult. This is forward looking. Chairman Fougere said we could still get some winter weather now.

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1 Selectman Putnam thinks this is a great plan and asked how the Town finished 2014. Jack Sheehy said we are in
2 good shape but 2014 is not closed out yet. Selectman Bauer asked how these "savings" affect the tax rate. Jack
3 Sheehy indicated the effect on the tax rate is an estimate and will be looked at again in September.

4 **b) Salary and Benefit Range Information for Human Resource Director.** Selectman Bauer asked if Mark
5 Bender is in process of interviewing for this position and asked how that will be conducted. Mark Bender said the
6 ads are being run in the Telegraph, Cabinet, Union Leader as well as on Monster.com, NHMA, Primex and we are
7 asking for responses to be received by April 3 after which the resumes will be reviewed by Mark Bender who will
8 ask for input from Department Heads regarding interviewing. Chairman Fougere asked what the salary range for the
9 position is. Mark Bender said the range is \$50,000 to \$77,000 based on skills, qualifications and experience. He
10 hopes we end up hiring someone at the lower end of the range. Selectman Putnam said this position is a Department
11 Head and the Board of Selectmen has been involved in the hiring that level of employee for some time, how will the
12 Board be involved? Vice Chairman Federico asked if the top 3-5 candidates will be brought to the Board of Select-
13 men prior to any decision being made. Selectman Putnam said it has been a consensual decision between the Board
14 of Selectmen and the Town Administrator. Chairman Fougere said we can make that decision when it is closer. It
15 was agreed when the top three candidates are narrowed down, the Board of Selectmen will be brought in.

16 **c) 2015 Major Projects Update List.** Mark Bender quickly reviewed the top major projects in town: Bridge
17 repairs, road repairs, Osgood Pond dredging (awaiting funding), Fletcher site; West Elm Street water/sewer project,
18 Olive Street completion, Jennison Road completion, Jones Bridge and Pedestrian Swing bridge; South Street project
19 (late spring); Nashua Street/St. Joseph's; Route 13/Emerson Road; Jones Road negotiation. Mark Bender would like
20 to present this list to the public for everyone's information and give milestone dates and when bids are due, when
21 work is scheduled to start and when we anticipate it to be substantially complete and the final completion date. This
22 is a work in progress, the dates will change, we will update this on a regular basis to keep everyone informed of the
23 status of the projects. There will be a lot of projects going on this year.

24 Selectman Putnam asked if this list will be in the newspaper? People might try to hold the town to the
25 dates. Mark Bender understands that, but we are trying to keep the public informed especially on road closures,
26 bridge and lane closures, because it could cause some confusion. Utility design for South Street is under way now.
27 Chairman Fougere said there is not a lot of time to slip on South Street because of Pumpkin Festival. Vice Chair-
28 man Federico hopes that CLD is on track so we can push this forward. Selectman Bauer asked if the swing bridge
29 will be closed for four days during the inspection? Rick Riendeau said the engineer will need to remove some of the
30 planking to get to the underside and the connections. Selectman Bauer asked if 4-5 days will be sufficient? Mr.
31 Riendeau said it is. Vice Chairman Federico asked about Osgood Pond, is the town waiting for funding or is it dry-
32 ing up? Have the funds been used up? Mark Bender said the contractor has done some work and said due to the wet
33 conditions his equipment cannot work out there so we are waiting for it to dry out a little and Fish & Game will fin-
34 ish the job. Bill Parker noted there is \$50,000 still in the account for this project; however, the contractor is not
35 working on it any more. The Town should know if it got another \$150,000 in September. Rick Riendeau said there
36 are two items for Osgood Pond, one had to be stopped because it was too wet; because we are waiting, we are trying
37 to find more available funds. Mr. Riendeau added that we have not come up with a new schedule yet. Vice Chair-
38 man Federico knows his phone will be ringing, what is the story? Mr. Riendeau said it will not be dry until summer.
39 Chairman Fougere said the earliest we can start is September. Selectman Daniels said we are also looking for a
40 grant through the Fish & Game.

41 **d) Update on the Traffic Light at the Bales School.** Mark Bender explained the parts for this traffic light
42 have been ordered which puts into motion replacing the light; this item came up at the Budget & Bond hearing in
43 January. The total cost for parts is \$11,050 including labor; it will be 4-6 weeks before parts are in.

44 **e) Camera Equipment Upgrade for Board of Selectmen Meeting Room.** Mark Bender explained new
45 camera equipment will be installed April 7, 8, 2015 in the Board of Selectmen meeting room. These are high-
46 definition cameras.

47 **f) Attorney and Environmental Consulting Services for Pipeline Research.** Mark Bender asked for guid-
48 ance on attorney and environmental consulting services and what kind of funds do we have for these types of ser-
49 vices? Selectman Putnam said we did not budget anything so we should not spend for this activity. Chairman
50 Fougere said the budget has \$25,000 for consultants. Selectman Daniels asked how many of the issues (Kinder
51 Morgan) are different from all the other towns? Mark Bender said some of the other towns in the coalition had war-
52 rant articles for fees. Merrimack is hiring an environmental attorney. Mark Bender said the NH Coalition is work-
53 ing together with other towns to allow towns to work together. One concern in Milford is the blasting and the im-
54 pact on wells. It would be good to have legal and consultant assistance for that. Ledge could also be an issue. Vice
55 Chairman Federico said the legal information discussed at the coalition can be passed to our Task Force. Mark
56 Bender said the cost could be hundreds of thousands in total for all of the towns if we go all the way. The costs are
57 not insubstantial. Selectman Daniels asked if Milford is posing questions to our attorney? Selectman Daniels would
58 like to see a list of questions and see if we can get them answered without incurring expense. Chairman Fougere

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1 had developed the charge of the key issues that were the focus at the beginning of the process in Hollis; once we get
2 in front of the State, it would be nice to have legal representation. Selectman Putnam just wants Milford to be very
3 prudent. Selectman Bauer asked where the current pipeline route runs? Chairman Fougere answered it goes
4 through the bon terrain park in Amherst. Hollis had so much opposition that the first route got abandoned. Select-
5 man Bauer asked if there is anything this Board of Selectmen can do to change the existing route? Chairman Foug-
6 ere said no, just to provide information about the proposed impacts to the State of NH and how to mitigate the im-
7 pacts. Chairman Fougere said it is the Massachusetts route, which went through a lot of conservation land in Hollis,
8 that was abandoned. Mark Bender said there may need to be reason to spent money on environmental issues.
9 Chairman Fougere said if the Task Force sees a need, they can come to the Board of Selectmen. Mark Bender noted
10 the Task Force will rely on NRPC as well.

11 g) **Town Administrator 2015 Goals and Objectives.** Mark Bender presented the list of 2015 Town Admin-
12 istrator Goals and Objectives for the Board to review; as he asked of all town employees.

13 h) **Town Election Review.** Mark Bender indicated Milford had a 22% voter turnout on March 10, 2015.
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15 **6. DISCUSSIONS**

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

18 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Chairman Fougere
19 will bring the 2014 Board of Selectmen goals to the next Board meeting for review, to see what was completed and
20 what may have carried over to 2015; he will send out the file electronically to members.

21 b) **OTHER ITEMS (that are not on the agenda).**
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23 **8. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of March 9, 2015 as
24 presented. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.
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26 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**
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28 **10. NOTICES.** Notices were read by Chairman Fougere.
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30 **11. NON-PUBLIC SESSION.** Selectman Daniels moved to enter into non-public session at 6:55 p.m. for ap-
31 proval of non-public minutes. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Select-
32 man Daniels moved to unseal the NPS minutes of March 9, 2015. Selectman Bauer seconded. All were in favor.
33 Motion passed 5/0. Selectman Putnam moved to approve the minutes of non-public session of March 9, 2015 as
34 presented. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Selectman Putnam moved to
35 re-seal the NPS minutes of March 9, 2015. Vice Chairman Federico seconded. All were in favor. Motion passed
36 5/0.
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38 **12. ADJOURNMENT:** There being no further business to come before this meeting, Vice Chairman Federico
39 moved to adjourn at 7:05 p.m. Selectman Putnam seconded. All were in favor. Motion passed 5/0.
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44 Mark Fougere, Chairman
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Kevin Federico, Vice Chairman

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49 Gary Daniels, Member
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Katherine Bauer, Member
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