

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN FIFTH MONDAY FORUM
August 31, 2015

PRESENT: Mark Fougere, Chairman
Kevin Federico, Vice Chairman
Mike Putnam, Member
Katherine Bauer, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary
Videographer, George Horta

EXCUSED: Gary Daniels, Member

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

INSTRUCTIONS: Chairman Fougere called the meeting to order at 7:00 p.m. Chairman Fougere introduced Board members and led the audience in the Pledge of Allegiance. Chairman Fougere noted that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast. Chairman Fougere explained why the Fifth Monday forum is held and that there is no agenda for the forum, it is an open meeting for the public to come in to bring any issues of concern to the Board.

2. 5th MONDAY FORUM COMMENTS.

Mike Sebas, resident, indicated we all love the town and he wants to talk about the BROX property. Mr. Sebas believes parts of the area are pristine that is great for wildlife and people. Everything north of the power lines used to get a fifty foot buffer up there and with this purchase, everything up there will be destructed. Mr. Sebas supports this area and would like to preserve it because it is a great place and it is right near the school. It is a unique place. In the one section which has never been dug up, it is probably the same it has been since the ice age. Selling it blindly to a developer that will not care about the open space, Mr. Sebas thinks we should re-evaluate it and re-distribute some of the development area. In the future for the town, it is great thing to have because once it goes and is developed you cannot get it back. All of the big parcels are getting bought up, there will be a lot of development up here. You guys are the one's selling for the future of our town. Some of it should be re-evaluated better then everyone will be happy. He is hoping the Board can re-evaluate that, it has been fifteen years and to sell it to the first one at a cheap price is a mistake, he feels it should be re-evaluated. As soon as a road is put in, the other parcels will be gone too.

Suzanne Fournier, Coordinator, Brox Environmental Citizens (BEC) group, checked to be sure the microphone was working because she felt it was not. The videographer assured Ms. Fournier that it was on and she could be heard. Ms. Fournier continued that her concern is the lack of transparency on the BROX land sale. The Right To Know law identifies the reasons for non-public sessions and states that the specific reason must be mentioned when entering a non-public session. The "sale" of property should be noted. The non-public session is about the protection of the general community. The BOS minutes since last fall note that the Board went into non-public session seven times since November 17, 2014. In 2015, the non-public sessions for land acquisition were mostly pertaining to 127 Elm Street, does only one pertain to the BROX property? On July 13, 2015, the Board entered non-public session for land acquisition. After that session, a press release was issued that it was a sale; was there no record that the Board went into non-public for the discussion of the sale of the BROX property? Why wasn't it recorded, as if there is not enough of a lack of transparency, I do not know what is. In May 2015, the Conservation Commission Chair asked if there was any negotiation in process and was told there was not. Paul Amato, Planning Board member, said on July 21, 2015 that he had heard of a BROX sale and said he was excited. So the privileged few can get this information but everyone else does not? The voters do not want to be kept in the dark. Ms. Fournier does not think the voters would be virtually giving away the land. The voters wish to have a say. The RSA applies to the current property sale. This should be on the warrant articles in 2016.

Roger Tilton, Berkeley Court, wished to follow up on transparency. When you are a Milford citizen, sometimes you feel like you are getting screwed by the government. There is a guy out there named Donald Trump, but he appeals to people because they feel like they are getting screwed (by the government). He is sticking up for the little guys. It feels like our elected officials are taking advantage of us, they have deals with friends and it makes the rest of us

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1 feel like you do not care what the citizens of Milford want to do, it seems like six months ago that the voters said
2 let's not take rocks from BROX, it would damage the environment, ruin habitat, and for what? A little bit of money
3 for the town? It seems like after that vote, the BOS thought the people did not want that to happen. We come to the
4 BOS meetings, but none of that was held in public sessions. Good for us, it was legal, maybe it was not illegal. Last
5 week a Letter to the Editor was published from the Town Executive Assistant, she has a vested interest. Then on
6 FaceBook, on a town account called "Milford NH Residents" where you have to be accepted to comment in that
7 thread, there is a comment from a former Board member that whipped up a frenzy. Mr. Tilton said he gets it, he
8 understands where that comes from. It comes from the feeling that we are getting screwed. It is not being done in a
9 fair and transparent way. You should want to make changes so you do not get screwed gain. We all want to stop
10 the pipeline, right? It is going to go through, there is nothing we can do. Mr. Tilton finds it ironic but people that
11 complain the loudest are the same people that voted for Dick Cheney and he had secret meetings at the white house
12 and they wrote in new regulations for FERC and one of them says that states and local citizens cannot overturn a
13 Federal decision for the transport of energy. You can hope to delay it. There seems to be a similarity here. You are
14 telling us it is a good deal. Mr. Tilton also heard and read that it is a small but vocal minority of people opposed to
15 the BROX sale, that a petition delivered last week had 115 names on it and that is more than what is needed to get it
16 on the warrant. We are not a minority. If you had held meetings in public session, there would be more people here
17 tonight.

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19 Mr. Tilton commented that Selectman Daniels is not here tonight. Chairman Fougere noted that Selectman Daniels
20 is on vacation this week. Mr. Tilton asked when the last time was that the selectmen were on the BROX property,
21 noting that he was there on Saturday. The developer will not give a damn about the property or the land that pro-
22 tected the wildlife. Why the hurry to destroy that? Who does it benefit? When was the last time one of you went
23 out there? Selectman Putnam was out there three days ago. Mark Bender was there three weeks ago. Vice Chair-
24 man Federico was there one week ago. Mr. Tilton commented that he would like to know when Selectman Daniels
25 was out there because he did not think he has been out there at all. Selectman Putnam commented that Selectman
26 Daniels lives out there very close to it. Selectman Putnam suggested not comparing him to Donald Trump; that he
27 has lived here for 58 years and Mr. Tilton has lived here for ten years and ran for legislature and did not get voted in;
28 noting that Mr. Tilton likes to muddy the waters and confuse voters. You will stand here and make it look like we
29 have not done our research that we sold it to the first bidder, and it has never worked like that. Mr. Tilton responded
30 that is because that is what happened. Mr. Tilton asked if Selectman Putnam was there to enjoy the BROX proper-
31 ty? Selectman Putnam said he was enjoying the property but is also interested in the needs of the town. The town
32 got a default budget this year, we are trying to take some of the load off the taxpayers; we have had conservation out
33 there. We are not here behind closed doors saying "let's dump the property." Mr. Tilton asked Selectman Putnam
34 when the Board had a meeting to discuss the sale of the property? Selectman Putnam responded that there are rea-
35 sons we do things behind closed doors. Chairman Fougere added that Mr. Tilton missed that there were two votes
36 that were clearly important and received a huge majority that gave the selectman the authority to sell the land, being
37 the town votes, the Master Plan for this property has always planned for it to be sold.

38
39 Roger Tilton, Berkeley Court, said the land has environmental value. Chairman Fougere clarified that the 2001 and
40 2011 votes had the majority of voters in favor of selling the land. The property was bought to keep out a develop-
41 ment of about one hundred houses. That land has the potential for a lot of things as identified in the Master Plan.
42 Mr. Tilton noted that there is also an environmental portion; this buyer has to develop the land to work the stone.
43 Why don't the selectman ask the voters now that you have a buyer? Mr. Tilton said he is talking about transparency
44 and what a lot of people have said.

45
46 Vice Chairman Federico respects Mr. Tilton's opinion and statements but does not respect the implication that this
47 Board is selling to our friends. The one thing in this town that drove Vice Chairman Federico to run for selectman
48 was the "good old boys" group. When Vice Chairman Federico came on three years ago, I knew about the BROX
49 property, I knew about the parts that were for sale and the parts that were for community development and that there
50 has been a plan in place for fifteen years in the Community Development Department. Nothing is happening quick-
51 ly because it has taken fifteen years to sell the land. We finally found someone to buy the land at a reasonable rate
52 with conditions; the Purchase and Sale agreement is public record. Any P&S for town property is done in non-
53 public session and is sealed because it follows a process. Everything needs to follow a process. Now that we have a
54 P&S for the property, now it goes in front of the committees like Planning. Now the public speaks about what is
55 going in there. If we were selling the land at the value of conserving it, the six people here tonight in opposition
56 would not be here. They would not be arguing about how it went down. The reason they are here is because the
57 land is being developed, so please, if you do not like who we are selling it to, say that, but do not sit here and say we

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1 are lining our pockets from the sale because that is offensive. Mr. Tilton asked if Mr. Federico has been able to stop
2 the good old boys? Vice Chairman Federico responded, as much as he can, yes.
3

4 Mr. Tilton asked would he would recommend to the opposition of this sale? Vice Chairman Federico said in 2011,
5 you should have voted no, if these people wanted to work to protect the land, I would recommend them to work with
6 the town. Before we lose the money and still have the property, we could have taken out the gravel, but it would at
7 least be something, there are only a few things that municipalities can do to be tax positive. This is one of those
8 things. Mr. Tilton said there were two votes, one in 2001 and one in 2011, why not have another vote now that there
9 is a plan on the table? Chairman Fougere said that last week, the petition was handed over and we have already
10 been given permission to sell the property. We have a P&S and that is how we are proceeding.
11

12 Town Administrator Mark Bender stated the buyer is space constrained and anxious to move. If we wait until
13 March, that will delay it a year. You should look at buffer zones to be created around Heron Pond and the brooks
14 and there will be buffer zones to protect them. Will some of the land be graded? Yes it will, but there will be buffer
15 zones around the sensitive areas. Mr. Tilton said a lot has changed in the last fifteen years, there are a lot of new
16 people, including me, and a lot of them like to hike and bike. This is one of those areas where we can do that and
17 Mr. Tilton would like to keep it that way and believes there are more different ways to generate revenue from taxes.
18 The State of Colorado and Washington earn revenue from the legal sale of cannibas. Mr. Tilton has talked to Police
19 Chief Viola about issues about drugs. Heroin is bad and cannibas is safer than alcohol.
20

21 Rob Canti, Webster Street, came to the meeting last week and tried to have an open mind. Mr. Canti is all for listen-
22 ing to both sides of any argument but I cannot stand being spoken for. I do not like the condescending tone, nor the
23 assumption of how I voted. I have integrity and was not involved in any of the harassment by trying to enjoy the
24 BROX property. Everyone has their side of a story, but to use threats or bullying is not okay, I have a problem with
25 that. I have a problem with how Mr. Tilton spoke tonight, if it was addressed in a civil way, maybe I would not be,
26 but it seems that is how some of the people in the BROX Environmental Citizens group is behaving. I am going to
27 go against the BEC because of the way things are being presented. This is ridiculous.
28

29 Tim Finan, Berkeley Court, is a former Board of Selectmen member referred to earlier. I do not know what was
30 addressed after I stopped watching, I was on the Facebook group and commented on it; but to suggest that because I
31 am a former selectman so that I can advocate for my former duties is ridiculous. One thing I learned from being a
32 member of this Board, when you have a conspiracy theory, it's hard to change minds. There is no talk in this town
33 that is not open and transparent, especially issues with the Board of Selectmen. This issue has been passing 80%,
34 the BEC got involved and got people all riled up. There is no "old boys" network. The only way I know about the
35 Facebook page was from Bill Parker and Tina Philbrick. I know how to get things done in this town, you come in
36 and talk here. When Mr. Finan heard people saying there was harassment, I told them to come to this Board meet-
37 ing and state your piece. The sale of the BROX property is a tax issue, this is all about tax base. I have been in Mil-
38 ford 21 years; this is an incredible town to live in. Not just because of the pristine land. It is a great location, it is
39 blue collar, it is a great place to raise a family. The other side is that we do not have a tax base that can sustain this
40 town. If we have something that is tax positive, I am all for it but that is not going to happen. The roads and bridges
41 in town need repair. They are literally crumbling; \$175,000 was voted in for bridge repair in March. The roads were
42 graded and are in tough shape. The Board of Selectmen is considering asking for a lot of money for roads. Forget
43 about maintaining the roads, the reason the roads get like this is because the tax base does not maintain the town.
44 Every year the Board of Selectmen needs to decide what we can and cannot do. The Fire Department has three full
45 time firefighters. That is absurd, that we have a volunteer fire department. It is only a matter of time before we
46 need to go to a full time staff. Milford is on the cusp. If you like this town, how do you get that tax base up? Most-
47 ly property taxes, you need industrial development, 8 times out of 10. I am all for conservation, but not this time,
48 this is a piece of property that the Route 101 bypass goes right through. There is a section there that will get modi-
49 fied by the state eventually. It is right off the highway. It is the ideal place. This has been planned for fifteen years.
50 We wanted to get industrial use out there to get the tax base up so that the taxes do not go up as much for residents.
51 Everyone loves the environment, there are some developments coming to town, they are much lower impact than
52 BROX. I am as environmental as the next guy, this is about the tax base. If you want to get the tax base up, run for
53 selectman. Taxes are too high for people.
54

55 Dan Ayotte, Christmas Tree Lane, said he has seen the for sale signs on Route 101 for the last fifteen years for this
56 property and it should have been sold, and now it is and we are getting some tax base help finally. As far as the
57 Facebook posts, I coach sport teams, and I tell my players that some people go out there on social media and cause
58 trouble. The Milford Facebook page is open to everyone. Mr. Ayotte came to work with the town with the commu-

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1 nity land in mind and was a part of this group. I came looking for fields for the kids to play sports and I became part
2 of the committee so that part of BROX could be used for fields. Part of the group was environmental, they are here
3 tonight, we went in together to build trust. We came out with a plan for field space and took into consideration the
4 nature and walking trails. Unfortunately the trust was betrayed. It has been nothing but getting hit on the head be-
5 cause they think they are a large group and they are not, and they are speaking out. I spend a lot of time out there, I
6 bike and I run, I see dumping, we want to turn that into something beautiful and useful. The vote last spring that
7 stopped the Board of Selectmen from getting gravel would have gone differently if the Board of Selectmen said that
8 the money would have gone back into the BROX property. The vote was not against the property itself. The BEC
9 should find a way to work with the people who are working and stop making it seem that the Board of Selectmen is
10 making backhand deals since they are working tirelessly to make this a better town.

11
12 Chairman Fougere read a letter from Jennifer Sanborn.

13
14 Suzanne Fournier, BEC Group, indicated she did have a conversation with that person at the BROX property, but as
15 soon as she started swearing and calling me names, I went down the hill. There are two visions for the BROX prop-
16 erty. Ms. Fournier said she is not hoping the town grows to 20,000 people. We have grown to 15,000 and we are
17 turning into Nashua. We do not need that. The two visions for BROX include the old vision, which is the vote in
18 the year 2000 to keep the land for development for industrial and commercial use. That was the plan. The plan to
19 sell 120 acres did not work. The Board has not come up with this buyer who will provide infrastructure; this ap-
20 pears to be desperate. The new vision has been forming over the past few years, it is based on scientific results of the
21 Natural Resources Inventory (NRI), and species that are at-risk for living in NH. The 129 northern acres are best
22 suited for conservation. The community would benefit from tourism money.

23
24 Tim Finan, Berkeley Court, said the town is not able to keep up, the bridges are crumbling, the roads need attention
25 and need to be fixed today. Our DPW budget for paving is just to maintain the roads. Amherst had a bond this past
26 year for over \$15 million to fix roads and catch up. Milford is already there, we have to fix the tax base now.

27
28 Dan Ayotte, Christmas Tree Lane, said he has visions too, I would cover the property with soccer fields. People
29 should be willing to work on something together, it is a give and take. The BEC does nothing but stop things from
30 happening. The growth is not something you can control. The economic times of the past is why that land did not
31 sell. You need to work with the people around you instead of trying to stop everything that comes up to better the
32 town. We need the economy back to make the necessary changes. Our schools also suffer, the future is in the chil-
33 dren and if our tax base does not improve, we cannot put the money into the schools, so the children will not be edu-
34 cated and be good for the future. Let's push things forward, but it takes give and take.

35
36 Chairman Fougere indicated everyone needs to realize that there has been planning for many years for this property,
37 I do not think it is either/or. The environment and development can co-exist. Development can occur next to sensi-
38 tive areas. We are not in 1950, there are rules that need to be dealt with. This is not going to be done overnight, it
39 will go through the process and go through all that is required.

40
41 Tim Finan, Berkeley Court, said a lot of people in town do not know the process, but if this goes through, it will go
42 through Planning and Zoning. All of the requirements must be met. There is a rigorous process. The Planning
43 Board is very rigorous. There are a lot of people that work very hard to make developments work through the Plan-
44 ning process. It will happen with this too. The public is welcome to attend those meetings. Selectman Putnam in-
45 dicated the environment can co-exist with manufacturing. The DPW Department co-exists with the wetlands over
46 on South Street. Water Utilities Department is right on the river, it does work. Industry and the environment can
47 co-exist, so people need to stop making it seem like we are going to eliminate all the wildlife.

48
49 Suzanne Fournier said she has been on the Rail Trail, and the wildlife can tolerate some development, but if you
50 have development on both sides, that would isolate the wildlife, then they are in trouble. They cannot have devel-
51 opment all around. Chairman Fougere said there is open space land at the BROX property next to the beaver pond;
52 there is 200,000 yards of gravel there but we will preserve that area. There is a plan for open space on BROX, there
53 are 45 miles of trails in the community. We have a good balance and the tax issue cannot be dismissed. People are
54 having a hard time paying their taxes. The Library wants a new Library which will cost \$5 million, the roads and
55 bridges are a priority and have been for the last few years and it all takes money. This project is with a company
56 with a solid reputation.

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58 Chairman Fougere thanked everyone for coming out tonight. We always like to hear from voters and the public.

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3. ADJOURNMENT: There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 8:15 p.m. Selectman Bauer seconded. All were in favor. Motion passed 4/0.

Mark Fougere, Chairman

Kevin Federico Vice Chairman

Katherine Bauer, Member

Gary L. Daniels, Member

Mike Putnam, Member