

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
December 14, 2015

PRESENT: Mark Fougere, Chairman
Kevin Federico, Vice Chairman
Gary Daniels, Member
Katherine Bauer, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary
Niko Giokas, Videographer

EXCUSED: Mike Putnam, Member

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

INSTRUCTIONS: After the non-public session was adjourned, Chairman Fougere called the public meeting to order at 5:45 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Fougere 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:

5:15 p.m. – Non-Public – Legal. Selectman Daniels moved to enter into non-public session at 5:15 p.m. in accordance with RSA 91-A:3, II(e) Legal. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0. After discussion, Selectman Daniels moved to come out of non-public session at 5:43 p.m. Selectman Bauer seconded. All were in favor. Motion passed 4/0. Chairman Fougere announced the Board made no decisions in non-public session and had one legal discussion. Selectman Daniels moved to seal the minutes of the non-public session. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

5:30 p.m. – Addiction Recovery Coalition. Ray McDaid runs a non-profit organization in the area that is known to SHARE and Welfare and they work to help families in crisis. Mr. McDaid wanted to inform the town of his intention to have a recovery solution here in Milford; the plan is to have multiple places in different towns and cities in NH. They have successfully brought kids and adults through recovery, and they have the knowledge and experience to bring this to Milford. Drug use is a serious and growing problem without a lot of resources; his hope is a recovery solution and his organization believes recovering residents are important. When people spend a lot of time in recovery, but they are apt to relapse. We are looking for a recovery residence for people who do not have the money for a way to live in an environment that helps them succeed. We are looking to towns and local business people as a solution. We are going to churches because we find we draw financial resources and volunteers in these communities. After recovery, a halfway house would be next and then a sober house after treatment is complete so that they can actually live there and get back into the community.

We have provided Narcan to individuals and people on the street, kids are using drugs before the age of 15, in NH very young kids are experimenting with narcotics which are the gateway to heroin. We need to get together and do something. Treatment is being done for people, but the beds are being used by repeat addicts. This is not a new idea, Massachusetts is using this as a treatment. The recovery rate coming out of detox is unknown because people do not track it. A recovery residence is just a place where people live together and it has rules and procedures and is monitored. It is not a treatment house. We would mentor the work program and we believe that anything we can do for these people to keep them from re-lapsing is helpful. Legal assistance can also be brought in, for family issues, and peer groups. The recovering people are working on their GED, if that is also needed, by partnering with other organizations. We have a recovery residence in Hancock NH where people work on the farm and that provides them with a job. Tonight's presentation is to give Milford an understanding of what we are talking about. This is something that is around the country and they do work. We would like to propose bringing a recovery house to the Milford area or to the town of Milford. If the Board has any ideas or suggestions, we are open to that. We did look at the Milford Motel as a possibility and have also looked at the old Police station, but would ask how much the Police station would cost because we are a non-profit, so that must be a consideration.

Selectman Daniels asked about the five levels of recovery and asked what percentage of addicts reach level five. Richard McDaid does not know the answer to that. Someone can go to a few of the levels. We would not take

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1 people off the street, we are looking to have them do detox first before and then we would talk about taking them
2 into the recovery house. People will be asked to stay at least 90 days but we cannot force people to stay. Nick
3 Mann stated there are very few recovery residences in NH. California has a highly developed program but they are
4 ahead of us and we hope to see results like them. Chairman Fougere asked if this facility would be staffed 24 hours
5 a day seven days a week and if so by how many people? Rich McDaid answered that it would be 24/7 with several
6 staff members. Chairman Fougere asked how many residents? Mr. McDaid answered it depends on the building,
7 but not more than 24 residents, we are fundraising to create the structure but residents need to work and pay at least
8 board. Chairman Fougere asked how many staff would be there. Mr. McDaid said maybe three staff, it is not an
9 institution where people are locked up, the people are making the choice to be in the Recovery Residence. It is not
10 management like a mental health center. The residents would be screened and would be from NH. Right now NH
11 residents are being shipped out of state. Hopefully we can focus on people in this area. We will do background
12 criminal checks because we do not want sex offenders or criminals. Vice Chairman Federico asked where the farm
13 is located? Mr. McDaid answered it is in Hancock and it is just starting out. The concept has been successful in
14 other places. That is why we are here and we believe we can do it well in Milford. Selectman Bauer said the old
15 police station has been vacant for some time and it had some issues which is why the town built a new station. Mr.
16 McDaid understands it has been there for a while and it is run down and needs work; it is also located next to a su-
17 perfund site.
18

19 Chairman Fougere asked Police Chief Viola for input. Chief Viola said he would want to check out the
20 program a little more; but he is curious if there is an increase in crime in the area where these houses are. And what
21 if there is a resident that re-offends, do they just end up on the street and then go to Welfare? Are the residents
22 screened for things like burglary? Chief Viola wonders if there are any stats on that. Mr. McDaid does not have
23 stats on that; one issue is if a drug test comes up dirty, we would not treat them or penalize them but instead get
24 them back into treatment. A user will steal in order to use. When you remove the addiction, the person becomes a
25 contributor to society. Chief Viola wants to know the correlation but if they do not get clean, what happens to them,
26 is there an increase in crime? Mr. McDaid said there is data that could be collected in other communities. When
27 people are getting treatment they will not all be residents of Milford. Chief Viola asked if these recovery residences
28 are in town settings? Mr. McDaid said it varies on the opportunities that open up. Nashua has an area in the city
29 that is zoned for this type of residence. Chairman Fougere said the place to start would be with the police and have
30 the Chief get comfortable with it and then the Planning Department could help see where this might work. The old
31 Police station has some issues with mold so he is not sure if that is a good place to have people live. Chairman
32 Fougere suggested starting with the Police Chief and then go from there.
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34 **6:00 p.m. – Social Service Committee Warrant Article.** Chairman Fougere asked that Susan Drew, Welfare Di-
35 rector, join the Board for this discussion. Susan Drew explained there were ten recommendations on last year’s war-
36 rant article as to where to spend the \$35,000. This year, a committee was formed and a package was send out with
37 an application for the agencies to apply for funding; of those that were sent the package, 17 responded which were
38 reviewed and it was decided that the funds would be dispersed to 10 of the agencies in varying amounts as follows:
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40 Bridges \$2,000; Greater Nashua Mental Health \$2,100; Home Health & Hospice \$2,500; Keystone Hall
41 \$4,000; Milford Regional Counseling \$5,000; Nashua Children’s Home \$1,500; Nashua Soup Kitchen &
42 Shelter \$4,000; Share Outreach \$5,000; Souhegan Valley Boys & Girls Club \$5,000; St. Joseph Communi-
43 ty Services-Meals on Wheels \$3,900
44

45 There are no new organizations on this list. The committee did advertise in the newspaper to ask organizations to
46 submit their applications. As it turns out, this is pretty much the same list from last year. A rating system was used
47 along with the application. Vice Chairman Federico thanked Susan and the committee, noting this is the way we can
48 document where the money will be used. Selectman Daniels asked if there is a description on how the agencies will
49 use the funds? Ms. Drew said she can put that together for the Board. Vice Chairman Federico asked if she could
50 give the Board of Selectmen any input regarding tonight’s 5:30 appointment. Ms. Drew would need to review the
51 information further and noted that the people who were on the Social Service committee were great and came from
52 all different backgrounds. Tina Philbrick, Executive Assistant, also noted it was a diverse group and everyone re-
53 viewed the information provided to come to a conclusion; she would like to be on the committee again next year.
54 Claire Holston, committee member, said the committee tried to focus on agencies that would support people of Mil-
55 ford. The committee recognizes there is a limited budget. Over the years there have been some concerns with the
56 amount of money. The committee talked about that and could see that there is a need for more funding to support
57 the residents of this area. It would be nice if we could support the people of this area by doing more. Susan Drew
58 said she will provide that list of how agencies will apply the funding for the next Board meeting.

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2 **6:30 p.m. – Milford Conservation Commission Warrant Article.** Audrey Frazier, Conservation Commission
3 Chair, was invited to join the Board for this discussion. Ms. Frazier indicated the warrant article for the Hitchiner
4 Town Forest Conservation Easement is similar to the one done on MileSlip a few years ago. Bill Drescher has re-
5 viewed and came up with the language. This area is being used more and more by the public and there is now a
6 pavilion up there. The fields are habitat for wildlife and a plan was made to cut the fields to promote new species.
7 This is located up off of Osgood Road (Mullen Road). The pavilion is big. Chairman Fougere asked if there were
8 any restrictions at the time when the town got it? Ms. Frazier said no, there are access restrictions, the width can
9 only be what exists there now because of the previous owner. The land was given in exchange for an environmental
10 impact study. Chairman Fougere asked if there is concern that it might be used for something else. Ms. Frazier said
11 the Conservation Commission wants to ensure land is protected and will continue to be preserved.
12

13 Selectman Daniels said the town enjoys the benefit of having a place to go spend time, but why should we take away
14 the vote of those who are dealing with that land in the future and may want the land for something else. Ms. Frazier
15 said we are being good stewards for future generations. Selectman Daniels asked how we know what future genera-
16 tions will want? Ms. Frazier said there is still a huge environmental concern, it is more to protect it from becoming
17 revenue-generating. It is economically good to have these properties protected. If we have those fields in fifty years
18 and need it for growing food for our residents, we will have it. Chairman Fougere said the land was given to the
19 town with no restrictions. Are there any activities there now that would be affected by doing this? Ms. Frazier said
20 no, it could not be built on, but it could be used for educational purposes. Conservation Commission Coordinator
21 Chris Costantino stated the town controls what happens out there, we could do a standard easement where it restricts
22 development. Chairman Fougere asked if this property connects to Burns Farm? Ms. Frazier said it does connect to
23 Burns and Beaver Brook. Selectman Daniels asked how big the property is. Ms. Frazier said it is large and is good
24 for wildlife habitat and for hunting. Ms. Costantino said the last cut was done in 1998. There were no further ques-
25 tions. Selectman Bauer commended this group for keeping the balance in town.
26

27 Ms. Frazier explained there is a second warrant article for the Conservation Land Fund for \$20,000. The balance is
28 currently \$53,000, which is not much. We have a couple of properties identified; the reason to protect more land is
29 that it is all different. Conservation adds to clean air and good health. Studies from UNH show that people are com-
30 ing to NH for its recreation and we have parts of town that do not have recreation land near them. The study talks
31 about it being fiscally helpful to have open space. We have a commitment to the public and to the town to preserve
32 open space and we are trying to build the land fund base up to the \$80,000 that was recommended by the Budget
33 Advisory Committee many years ago. Selectman Daniels asked what percentage of the town is in conservation.
34 Chris Costantino said about 12%. Chairman Fougere asked how much farmland is in that number. Ms. Costantino
35 said that would be a hard question to answer because farmland is considered open space. There are 19 miles of trails
36 that the commission manages; there are more than that but not managed. The hope is that every neighborhood has
37 access to trails and open space. When we talk to the kids using the trails they are the ones that have trails right out-
38 side their door. A lot of people use the trails and very rarely do we find empty trails. Monson is not included in the
39 amount of conservation land.
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41 **7:00 p.m. – Library Warrant Article.** Library Trustee Jennifer Hansen explained where we are now with the Li-
42 brary studies for the warrant article has all been paid for by the Library Trustees, not taxpayer money. The Library
43 is not up to State standards for a town of our size. We are fundraising, but we have heard that once it is voted in that
44 is when people will start calling and that is when the big fundraising money comes in, which will defray the cost to
45 taxpayers. Last year there were a lot of questions and answers with the architect, Library Director Michelle
46 Sampson explained, totaling about 1.5 hours at deliberative session. The Public Service Announcement is on the
47 town website which shows the defects at the Library as well as other information on the building project. Vice
48 Chairman Federico suggested getting the PSA about the state of the Library on the PEG Access channel if it is no
49 longer running. Further, Michelle Sampson stated the aesthetics of the building plan has been looked at and the
50 feedback received during the open house and roofline were looked at and modified. We tried to come up with dif-
51 ferent ways to change things but they all come at a cost. The outside of the building might not be pleasing but once
52 you walk in the door, you might feel differently. Chairman Fougere said at any time of day, the Library is a busy
53 place. Selectman Bauer added that there are lists every week of programs that are running at the Library. Feedback
54 also came back about the lack of parking downtown. In order to maximize the property behind the Library, the
55 building was moved down to street level because of parking. Bringing the building down to street level for those
56 residents that might have difficulty getting uphill was taken into consideration. We are trying to maximize the land
57 that we have to address as many of the problems as we can and parking is one of those problems. There was no fur-
58 ther discussion.

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3. PUBLIC COMMENTS. (items not on the agenda). There were no public comments this evening.

4. DECISIONS.

a) **CONSENT CALENDAR.** Chairman Fougere asked if there were any items to be removed from the Consent Calendar for discussion. Items 4a3 and 4a5 were removed for discussion. Selectman Daniels moved to approve the Consent Calendar as presented with the exception of items 4a3 and 4a5. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

1) **Request for Approval of Petition and Pole License (104C/1) Mason Road.** The Petition and Pole License for Mason Road was approved.

2) **Request for Conditional Approval of Hiring a New Milford Police Officer – Seth Parmeter.** The Board approved the conditional hiring of Seth Parmeter as a full time Milford Police Officer.

3) **Request for Acceptance of Completion of Harvest Drive.** Community Development Director Lincoln Daley explained that in 2006 Harvest Drive was approved. There is enough of the surety money to complete the roadway and we want to look at the surety bond to be sure there is enough money to finish the road and in the future we want to be sure we have enough to cover the costs associated with finishing the project. Selectman Daniels moved to approve moving forward on this project. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

4) **Request for Partial Release of Securities for Map 18, Lot 13 – DMT Autowerks.** The partial release of securities in the amount of \$2,240.90 was approved for completing improvements.

5) **Approval of Certificate of Action for 127 Elm Street.** The town is finally ready to take ownership of the 127 Elm Street property but not until the DES gives the clean bill of health. We received the letter the other day so we are now in a position to take ownership. At the next meeting, we will be looking to get a committee together to look at the building. Mark Bender said the work to excavate the contamination came about very quickly. DES was extremely cooperative, attended to it and took quick action to review the water testing and soil testing in this process and provided the letter of “No Further Action” last Thursday. Mark Bender has been working with Attorneys Bill Drescher and Tom Quinn to prepare for the closing, the total for the town will be \$193,300 which includes all the attorney fees. We are prepared to close on the property late next week. We will also need to discuss the abatement of accumulated taxes that were part of the deal. Attorney Quinn prepared the certificate of action and Chairman Fougere read it into the record as follows:

CERTIFICATE OF ACTION TAKEN BY THE
Board of Selectmen OF THE TOWN OF MILFORD

Pursuant to New Hampshire law, I, Tina Philbrick, Executive Assistant, of the Board of Selectmen do hereby certify that at a meeting of the Board of Selectmen held on December 14, 2015, the following motion was made, seconded, and adopted:

RESOLVED: That Mark Bender, Town Administrator, is hereby appointed as agent of the Board of Selectmen for the purpose of taking all actions appropriate, convenient or necessary for the acquisition and acceptance of title to real estate located at 127 Elm Street, Milford, Hillsborough County, New Hampshire, including but not limited, the power to accept the deed of conveyance on behalf of the Board and the Town of Milford, and to execute, deliver, and accept, agreements, certifications, affidavits, or such other forms, disclosures, or documents, including the Settlement Statement, he deems appropriate, convenient or necessary to accomplish any of the foregoing, and to accept funds or proceeds, or other credits in furtherance of the foregoing.

Selectman Daniels moved to approve. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

b) **OTHER DECISIONS.**

5. TOWN STATUS REPORT.

1 a) **Town Clerk.** Town Administrator Mark Bender indicated that he received notice from the Town Clerk Peg
2 Langell that she will not be running for re-election in March. She has been with the town for over 20 years.
3 January 20-29 is the when interested persons can sign up to run for election.

4 b) **Request from Mr. and Mrs. O'Connell to Donate Steel.** Town Administrator Mark Bender explained
5 that Tim and Noreen O'Connell have some steel that is from a damaged greenhouse that they are willing to do-
6 nated to the town for salvage. The town would need to pick it up and it might be worth a couple hundred dol-
7 lars. Vice Chairman Federico does not like the precedent it would set. Selectman Bauer thinks it should be a
8 case by case basis. Selectman Daniels agreed we do not want to get into something that people think we will
9 come pick up their salvage. Vice Chairman Federico asked if DPW gets these types of requests. Rick Riendeau
10 said no, we might have from the spring cleanup, but not this type of salvage pickup. Chairman Fougere is not
11 comfortable with this; we could get into a situation where it might get us in a bind. Consensus was to not pick it
12 up for salvage.

13 c) **Traffic Safety Concern - 71 Elm Street, The Elms Center.** Mark Bender received a concern from The
14 Elms about an employee that got hit by a car on a crosswalk on Elm Street. This can be put off until December
15 28 when the concerned citizen will come to the Board meeting. Police Captain Frye said this person had to go
16 to the hospital. Since 2011, there were two pedestrians hit at the same crosswalk. Cars come out of Columbus
17 Drive and head down Elm Street, it is a heavy traffic flow area.
18

19 **6. DISCUSSIONS**

20 a) **Downtown Improvement Project - Phase II and Oval.** Mark Bender asked that Lincoln Daley address
21 the options of this project. Lincoln Daley, Community Development Director, explained that Bill Parker had done
22 research on the next Phase of the oval improvements. We have all the paperwork ready to re-bid the South Street
23 project in January. The next phase has been looked at and the town needs to decide what to focus on by the end of
24 2015. The two choices are: Nashua Street/Edgewood Plaza or Triangle Area (Mont Vernon/Amherst/Grove
25 Streets). The Milford Improvement Team (MIT) has identified the Triangle Area as a priority. Chairman Fougere
26 asked which project the Board would prefer to have as the next focus. The first phase of the oval project was South
27 Street, now the Board of Selectmen needs to decide on the second phase. Vice Chairman Federico asked if there is
28 any further downtown improvement money for a match. Jack Sheehy responded the amount is an 80/20 match.
29 Chairman Fougere said for the South Street project, the town raised \$155,000 over five years; after South Street is
30 complete, there is still money out there with the 80/20 split. Chairman Fougere thinks the town should do Nashua
31 Street with the CVS coming in. Mark Bender asked Lincoln if we could get additional parking in the shopping cen-
32 ter. Lincoln responded it looks like no parking would be lost or gained.
33

34 Town Administrator Mark Bender said the Triangle intersection essentially creates an oval around the Triangle por-
35 tion by creating one way streets on Amherst and Grove streets and that would create parking spaces. Chairman
36 Fougere indicated one possibility of the oval improvements was to shave the oval to make it smaller so that turn
37 radius' would be improved. Mark Bender indicated the brickwork will cost about \$60,000. Selectman Daniels likes
38 the idea that the oval can get fixed, but he would rather see the oval fixed before we look at Nashua Street. Vice
39 Chairman Federico asked about water and electricity on the islands. Rick Riendeau, DPW Director, said both island
40 have both. Chairman Fougere would like to get a reasonable estimate for getting both islands moved. To make a
41 decision we need to have an estimate of what it may cost. Lincoln Daley noted we need to go to the DOT to re-
42 commend which project we want to do before the end of 2015. Jason Plourde, Project Manager, can get an estimate
43 for Nashua Street and moving the islands for the next Board meeting. The Board concurred once the estimates are
44 available a decision can be made.
45

46 b) **Phil's BBQ Occupancy Agreement Amendment.** Mark Bender explained the lease amount is the same
47 price as the previous years, one addendum is being requested. The Assessor brought up that real property should be
48 paying taxes if it is rented. Phil Bouchard said that was written in an e-mail, that it was part of the rent amount.
49 Mark Bender asked how much the property taxes were. Phil Bouchard indicated he has the email and can provide
50 that to the Board. Mark Bender stated that the Assessor identified that the business is using about a half-acre. There
51 were no further questions.
52

53 c) **Budget and Warrant Articles.** At last week's meeting, adjustments were discussed but no decisions were
54 made. Vice Chairman Federico said that the information on budget and warrant articles should be getting to voters
55 earlier; we should utilize Granite Town Media to get the information out and get it on the website in draft form.
56 Selectman Daniels noted the only problem with that is that the draft will be out there and then when they vote it may
57 be different because the Board made changes. Selectman Daniels asked for a detailed budget from Jack, with all of
58 the line items and as current as possible so that he can get some of his questions answered. Jack Sheehy said this

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1 budget has been seen since October and it has been before the BAC since then as well; now it is mid-December.
2 Vice Chairman Federico said that Selectman Daniels wants some answers and deserves to get them; he would also
3 like the detailed budget; these are the things that will make the budget move forward. That is part of our job. Se-
4 lectman Bauer said the Board asked to have the budget submitted earlier this year and that was very helpful. Chair-
5 man Fougere asked about the bridge document put together by Mark Bender. Vice Chairman Federico is all for ta-
6 bling the bridge document to allow Selectman Daniels to look at the detailed budget to answer his questions. In two
7 weeks the Board needs to make a decision on all the warrant articles and the budget. Mark Bender said the Budget
8 and Bond hearing is January 11, 2016. There is one more Board meeting to finalize the budget; an additional work
9 session can be done December 21. Jack Sheehy said the warrant articles and budget must be posted by January 25
10 and be signed by the Board of Selectmen.

11 It was agreed that another work session would be held December 21, 2015 at 5 p.m. to discuss budget and war-
12 rant articles.

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

15 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.**

16 b) **OTHER ITEMS (that are not on the agenda).**

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18 **8. APPROVAL OF FINAL MINUTES.** Selectman Bauer moved to approve the minutes of November 9, 2015
19 as presented. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0. Selectman Bauer moved to
20 approve the minutes of November 23, 2015 as presented. Vice Chairman Federico seconded. All were in favor.
21 Motion passed 4/0.

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

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25 **10. NOTICES.** Notices were read by Chairman Fougere.

26
27 **11. NON-PUBLIC SESSION.** Selectman Daniels moved to enter into non-public session in accordance with
28 RDA 91:A3II(b) Personnel at 9:25 p.m. and for approval of non-public minutes of November 9 and November 23,
29 2015. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0. After discussion, Vice Chairman
30 Federico moved to come out of non-public session at 9:55 p.m. Selectman Bauer seconded. All were in favor 4/0.
31 Chairman Fougere announced that in non-public session the Board approved two sets of non-public minutes and had
32 one personnel discussion.

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34 **12. ADJOURNMENT:** Selectman Daniels moved to adjourn at 9:57 p.m. Vice Chairman Federico seconded. All
35 were in favor. Motion passed 4/0.

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40 Mark Fougere, Chairman

Kevin Federico, Vice Chairman

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44 Gary Daniels, Member

Katherine Bauer, Member

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