

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
June 27, 2016

**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 Fougere 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 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. Chairman Fougere announced that in the 4:45 p.m. non-public session, the Board discussed a Personnel issue and made one decision.

**2. APPOINTMENTS:**

**5:00 p.m. – Non-Public Session (RSA 91-A:3, II (a) and (c) Personnel and Reputation.** Selectman Putnam moved to enter into non-public session for Personnel at 4:45 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Selectman Daniels moved to come out of non-public session at 5:21 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. After discussion, Chairman Fougere announced that in non-public session the Board discussed a Personnel issue and made one decision. Selectman Putnam moved to seal the minutes of the non-public session. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

**5:30 p.m. – Department Update – Fire Department.** Chairman Fougere invited Fire Chief Kelly up to the table for his presentation. Chief Kelly explained that his information and statistics were run from January 1 to present. Chief Kelly said he has a great bunch of guys working at the department; there are six new probationary fire fighters and two certified fire inspectors. Station repairs were not approved in March so that is a discussion for another day. The Exploratory Program is still going strong and meets every month to train the firefighters and EMS personnel and is a combination of surrounding towns. Emergency Management is not doing too much and that is a good thing, there are twelve members that make up that Board. The department is in process of updating that plan with Homeland Security changes in format. There have been 35 complaints for the Health Department; they are all the same complaints coming in. Chief Kelly works hand in hand with the Building Department regarding issues such as a bad water leak on the second floor resulting in a kitchen closure where everything needed to be torn out. Meals were prepared outside and the town worked with the State.

Selectman Daniels asked if the average response time of 6 minutes, 33 seconds includes arrival time. Chief Kelly responded that it is 6 minutes 33 seconds from the time of the tone to the time the guys leave the station and get on scene, it is a very good time. Vice Chairman Federico asked how long it takes to get a new firefighter in the truck to work. Chief Kelly responded it takes about eight weeks to get them on the truck. The Board thanked Chief Kelly for his presentation.

**5:45 p.m. – Residences in Industrial or Commercial Zone.** Town Assessor Marti Noel joined the Board for this appointment, indicating there was one late application for residence in industrial or commercial zone received June 8; the deadline is April 15. Ms. Noel indicated it was evidenced that the applicant did not own the property as of April 1, which is required, and the person living there at that time was not the owner. The applicant wanted to bring this before the Board and is here tonight to discuss. Ms. Noel is recommending denial, further stating the applicant did not own the property as of April 1 and also provided misleading information on the application. Each year, the Assessing office encourages people to apply by April 1 if they meet the criteria. Ms. Noel said the applicant stated that they owned the property as of April 1 and it was found that they did not. Chairman Fougere asked if the applicant must apply each year for this, by statute. Ms. Noel responded that they do. Chairman Fougere asked every year? Ms. Noel said every year there are new qualifications set by statute. She believes the owner is here tonight and would like to speak.

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2 Andrea Kokko-Chappell brought the data tonight to be reviewed and asked for a copy of the application that Ms.  
3 Noel stated was misleading, which was provided. Ms. Kokko-Chappell asked why Ms. Noel said the application  
4 was misleading. Ms. Noel responded that Ms. Kokko-Chappell did not own the property until April 28. Ms. Kok-  
5 ko-Chappell indicated when she asked how she should go about looking into this, Ms. Noel asked her to fill the ap-  
6 plication out and send it to the Board. There were transfers of property between the Chappell families, three proper-  
7 ties are on the map. Page two provides the occupancy dates for people who were transferring property. In fall of  
8 2015, Roger Chappell took his annual trip to Florida and Sarah and Cory made plans to work on the home. When  
9 Sarah called and asked why the tax had changed for the 2016 tax year, she was told it was not owner-occupied. Ms.  
10 Noel was told that as of April 1 it was. Ms. Kokko-Chappell did not feel she should talk about Roger's personal  
11 situation with the Assessor. Sarah was told she would have to provide paperwork to the Board of Selectmen. If a  
12 tax assessment is to be increased by more than \$5,000, the family would need to be notified but at no time did the  
13 Assessor find out who was residing in the home. If she had, we would have known to close by March 31. As a real-  
14 tor in Milford, Andrea stated she is a cheerleader for the town taxes and she encouraged any Board member to visit  
15 the property in question to see if it is worth the \$599,000 assessment. This new tax assessment is 20% over what  
16 the appraised value was. A couple of times it was mentioned by Ms. Noel that it should be applied for again in  
17 2017. The tax bill was sent to the mortgage company who instantly increased the taxes. The statutes does cover  
18 these things which have a deadline but these laws are to be used in a fair and reasonable interpretation. Ms. Kokko-  
19 Chappell really feels that it is fair and reasonable to put this back to whatever it was assessed for previously.  
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21 Ms. Noel responded that she treats all taxpayers fairly and reasonably and making exceptions for one and not for all  
22 would not be fair and reasonable. The appraisals Ms. Kokko-Chappell has would be filed after the final tax bill; we  
23 are going through a revaluation in 2016. Chairman Fougere stated the assessment went from \$565,000 to \$599,000,  
24 but why? Ms. Noel answered it is considered Industrial property; land values are based on zoning. Selectman Put-  
25 nam asked how long has this property been in the family? Ms. Kokko-Chappell responded all three properties have  
26 been in the family for a number of years. Vice Chairman Federico asked if there is a reason the letter did not get  
27 mailed. Ms. Noel stated it was an oversight. Vice Chairman Federico asked if they apply for the abatement, it gets  
28 sent the following year? Ms. Noel said that Cory Chappell and Roger Chappell purchased each other's property  
29 January 4. Vice Chairman Federico asked when the original application was put in. Ms. Noel said on June 7, 2016  
30 and the application was signed by all the owners. Mark Bender noted it is a standard form, not a new form. Ms.  
31 Kokko-Chappell received the tax bill June 3 and was not aware of the increase in assessment. Because we are going  
32 through a reval, the tax cards have not been updated. Selectman Daniels confirmed the notification goes out to ex-  
33 isting property owners if the value increased by over \$5,000? Ms. Noel said yes but it was an oversight. So this  
34 year, it was not sent, asked Chairman Fougere? Ms. Noel said that is because they were not owners. Selectman  
35 Putnam said this is a residence in the Industrial zone, he moved to approve this request. Vice Chairman Federico  
36 seconded for discussion. Selectman Daniels is concerned that there was some oversight in notification that should  
37 have been sent out but would have allowed the owner to come in within the required timeframe. If you are not noti-  
38 fied, it is assumed that nothing has changed. The lack of notification contributed to the owner not knowing the as-  
39 sessment had gone up and could not get the abatement in within the required timeframe.  
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41 Ms. Noel said the applicant was not the person occupying the property. Ms. Kokko-Chappell disagreed; stating we  
42 do not all come down the day our address changes, it is something that happens and we do not know that town hall  
43 has the wrong address. There were never any questions about who lived at the property. Mark Bender questioned  
44 the occupancy back in June and that Andrea did not mention that Roger was living in the property. Andrea said she  
45 wanted Roger's permission before she shared that information. Andrea did not hear "owner occupancy" it has been  
46 explained that it is a residence defined as owner-occupied. Ms. Kokko-Chappell felt she needed permission from  
47 the family to discuss their personal situation. Selectman Putnam said it is in the Industrial Zone; we messed up, the  
48 notification was not sent out. Vice Chairman Federico understands the situation and does not like to use the good  
49 old boy network; and the family is very invested in this community. Vice Chairman Federico asked how often As-  
50 ssuming deals with three properties being moved around and thinks in fairness to the residents, it would be a shame to  
51 deny this. Selectman Bauer stated the occupants were not the owners. Ms. Noel said the occupant was not the own-  
52 er; this information that Andrea is sharing tonight is new to her. Chairman Fougere said these things happen. Se-  
53 lectman Putnam moved to approve the exemption. Vice Chairman Federico seconded. Chairman Fougere, Vice  
54 Chairman Federico, Selectman Putnam and Selectman Daniels were in favor, with Selectman Bauer opposed. Mo-  
55 tion passed 4/1.  
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57 **6:00 p.m. – Land Use Change Tax Map 41, Lots 3-7 and 3-11.** Town Assessor Marti Noel has spoken to the  
58 property owner regarding this situation, and the owner agrees both lots need to come out of Current Use at this time

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1 (Map 51 Lot 3-7 and 3-11). There were no questions. Selectman Putnam moved to remove these parcels from Cur-  
2 rent Use. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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4 **6:05 p.m. – The Souhegan Valley Interfaith Council – Interfaith Peace Walk.** The Souhegan Valley Interfaith  
5 Council, represented by Bob Chapin, Ann Hebert and Presiding Minister of Tree of Life Interfaith Council Step-  
6 hanie Rutt were present for this appointment. Ms. Rutt thanked the Board for giving time for this discussion. It is  
7 desired to honor our community desire for peace; it is important to us that it not become a political event. People of  
8 all denominations are coming out and want to join in this peace walk and it is so important that this not be a political  
9 event because that will be polarizing, which is the opposite of what we want to do. Different faiths are being en-  
10 couraged to join. They are looking to get information on what is needed for them to get the town resources involved  
11 so that there is police and ambulance available and who they need to talk with about that. Mr. Chapin said police  
12 should be available to assist with parking and the route. Chairman Fougere suggested starting with the police chief  
13 and town administrator to talk about a safe route. Planning a mid-morning start time would work best. This is not a  
14 fund raiser, it is just an opportunity to provide people who want to do something positive. Mark Bender asked how  
15 many people are expected. Ms. Rutt responded they do not know how many, this is their first time doing it; but  
16 there is a lot of interest from Nashua and Manchester, and the Souhegan Valley interfaith communities. Town Ad-  
17 ministrator Mark Bender suggested trying to reach out to the organizations to get a broad brush number of people  
18 that might participate. Ms. Rutt asked about insurance needs that might be required. Mark Bender said we can look  
19 into that. Jack Sheehy said the group will need to have insurance. There were no further questions or comments.  
20 Selectman Daniels moved to approve the permit contingent upon working out the route and any conditions needed.  
21 Selectman Putnam seconded. All were in favor. Motion passed 5/0.

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23 **6:15 p.m. – The Tea Merchants, LLC.** Ryan of Tea Merchants LLC requested that this appointment be postponed.

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25 **6:25 p.m. – Milford Cub Scout Pack 421 Annual Model Rocket Event.** Andrew Taylor, Coordinator of the Cub  
26 Scout Rocket Event, was present for this appointment. Mr. Taylor explained he is requesting Board permission to  
27 hold this annual Cub Scout event at the town-owned Brox property on July 9, 2016. In the past, the cub scouts  
28 cleaned up any trash or debris left behind and tried to recover everything possible on the property. Parents are re-  
29 quired to stay at the event, and they must be present the entire time. The scouts have an insurance binder, access to  
30 the site is what is requested, if the scouts could have it unlocked and be made aware of any other requirements. The  
31 scouts have been using Brox for this event for many years. Selectman Putnam moved to approve this request. Se-  
32 lectman Daniels seconded for discussion. Suzanne Fournier, Coordinator Brox Environmental Citizens Group, has  
33 spoken to Mr. Taylor previously, noting there have been Blandings turtles near the area the rockets are launched.  
34 Ms. Fournier asked where parents will park and noted the cleanup needs to be done so that the debris does not im-  
35 pact the vernal pools. Mr. Taylor responded that whatever the town requires of them, they will abide by, the scouts  
36 are willing to do whatever the town wants them to do. The wind does not always blow in the desired direction, and  
37 sometimes the rockets blow off course, but we will try to retrieve the materials so that it is not left behind. Ms.  
38 Fournier does not know what the fuel is that is left behind, but noted that it could endanger the species, so if you can  
39 try to launch away from the vernal pools that would be appreciated. Selectman Daniels is comfortable with this and  
40 the town has never had problems with the launch and he is in support of approving his request. He suggested Mr.  
41 Taylor to coordinate with DPW for them to open the gate, it is an open gravel pit and vehicles come and go fre-  
42 quently, but use common sense and it will be fine. All were in favor of the motion. Motion passed 5/0. Town Ad-  
43 ministrator Mark Bender asked Mr. Taylor for the Scout insurance binder and contact information for the file.

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45 **3. PUBLIC COMMENTS. (items not on the agenda).** Audrey Frazier, Conservation Commission Chair, talked  
46 recently with the Board about open communication and thanked Town Administrator Mark Bender for sending her  
47 an article in the Telegraph recently and she is grateful that the Conservation Commission will have a voice in how  
48 the species would be affected. She is concerned about Fred Elkind, Environmental Coordinator, who came to the  
49 Conservation Commission about a property that was not supposed to have any additional test pits, but additional pits  
50 were just done on Friday. Based on the article, it was stated that there were heavy trucks that might have gone over  
51 some nesting sites. She wanted that information to be passed on to the Board of Selectmen.

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53 **4. DECISIONS.**

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55 a) **CONSENT CALENDAR.** Chairman Fougere asked if any member wished to remove any items from  
56 the Consent Calendar for discussion. There were no items removed. Selectman Daniels moved to approve  
57 the Consent Calendar as presented. Vice Chairman Federico seconded. All were in favor. Motion passed  
58 5/0.

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- 1) **Request for Acceptance and Approval of 31:95(b) Unanticipated Revenues under \$5,000.** The unanticipated revenues under \$5,000 were approved as follows:

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Cirtronics Corp	\$ 150.00	Donation to the Milford Fire Dept. for fire Extinguisher training. The Fire Dept. wishes to Designate the donation to the Fire/Life Safety Education Special Purpose Fund
RBS Holding Company	\$ 150.00	Donation to the Milford Fire Dept. for fire Extinguisher training. The Fire Dept. wishes to Designate the donation to the Fire/Life Safety Education Special Purpose

- 2) **Request for Approval of One (1) Timber Tax Levy – Map 3, Lot 11.** The Timber Tax Levy was approved in the amount of \$1,867.74.
- 3) **Request for Recommendation that the Board Elect NOT to use the PA-28 Inventory Form for 2017.** The Board approved this recommendation.

b) **OTHER DECISIONS.**

5. **TOWN STATUS REPORT.**

- 1) **South Street Update.** Town Administrator Mark Bender indicated the South Street surface will be reclaimed this week for a nice driving surface in time for July 4.
- 2) **Jennison Road Update.** Town Administrator Mark Bender indicated the repairs discussed at the last meeting are completed; final paving, striping and shoulder work is complete.
- 3) **Joint Board of Selectmen and School Board Meeting.** Tentatively scheduled for August 29 at the Fifth Monday Forum.

6. **DISCUSSIONS.**

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

a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Putnam reported that tomorrow MACC Base has a 5 p.m. budget committee meeting, there is \$30,000 left from last year but a piece of equipment is currently failing. Selectman Putnam is in favor of purchasing a new piece of equipment to replace the failing equipment, out of this \$30,000, which will cost \$10,000. This equipment syncs the times automatically. Also, Selectman Putnam reported that the 127 Elm Street Committee is still meeting and working on conceptual plans to get some numbers put together. Selectman Putnam stated the Water Ban is voluntary for people to stop watering lawns; it has been fairly dry and if you are on a well, people should keep an eye on it as well. The Board of Commissioners meets June 28 at 1 p. m. to discuss the situation and what track we will go with it. Milford gets some water from Pennichuck; they turned on their pumps Saturday and one pump burned out so that supplementary water is iffy until it gets repaired. The information has been put on the town website and in the Telegraph. People on private wells should be cautious; if there are any questions regarding water utilities or the water ban, people should call the Water Utilities Department at 249-0660 and not call the Town Hall. Vice Chairman Federico noted that the emergency notification system Nixel should be utilized more; he will talk with Department Heads about using it. There should be a policy because it is one of those “in between” things that we should determine what should be on there for the residents of Milford. Vice Chairman Federico will talk more about this with Town Administrator Mark Bender. Granite Town Media work at the high school will not happen as scheduled because Mike McInerney will not have access to the high school for a few days which limits his access to the media equipment.

b) **OTHER ITEMS (that are not on the agenda).** The meeting scheduled for July 11 may be cancelled as Vice Chairman Federico and Chairman Fougere will be unable to attend. Mark Bender would expect minimal work at that time but lots of activity moving forward. It was determined to cancel the July 11 meeting and July 25 meeting and hold a meeting on July 18 instead. Selectman Putnam moved to cancel July 11 and July 25

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1 Board meetings and hold a meeting July 18 Board meeting instead. Selectman Bauer seconded. All were in  
2 favor. Motion passed 5/0.

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4 **8. APPROVAL OF FINAL MINUTES.** Vice Chairman Federico moved to approve the minutes of June 13,  
5 2016 as amended. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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

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

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11 **11. NON-PUBLIC SESSION.** Selectman Daniels moved to enter into non-public session at 7:50 p.m. in accord-  
12 ance with RSA 91-A:3,II (a) Personnel and (c) Reputation. Vice Chairman Federico seconded. All were in favor.  
13 Motion passed 5/0. Vice Chairman Federico moved to approve the non-public minutes of June 13, 2016 (Reputa-  
14 tion) as presented. Selectman Putnam seconded. All were in favor. Motion passed 5/0. After discussion, Select-  
15 man Putnam moved to come out of non-public session at 8:20 p.m. Vice Chairman Federico seconded. All were in  
16 favor. Motion passed 5/0. Selectman Putnam moved to seal the minutes of this non-public session. Vice Chairman  
17 Federico seconded. All were in favor. Motion passed 5/0. Chairman Fougere announced that in non-public session  
18 a Personnel issue was discussed and one set of non-public minutes was approved.

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20 **12. ADJOURNMENT:** Selectman Putnam moved to adjourn at 8:21 p.m. Selectman Daniels seconded. All were in  
21 favor. Motion passed 5/0.

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26 Mark Fougere, Chairman

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Kevin Federico, Vice Chairman

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30 Gary Daniels, Member

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Katherine Bauer, Member

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34 Mike Putnam, Member