

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
September 26, 2011

**PRESENT:** Nate Carmen, Chairman  
Gary Daniels, Vice Chairman  
Tim Finan, Member  
Katherine Bauer, Member  
Guy Scaife, Town Administrator  
Darlene J. Bouffard, Recording Secretary

**EXCUSED:** Mike Putnam, Member

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

**INSTRUCTIONS:** The meeting was called to order by Chairman Carmen at 5:30 p.m. who introduced Board members and led the audience in the Pledge of Allegiance, explaining that Selectman Putnam is excused this evening. Chairman Carmen 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.

**2. APPOINTMENTS:**

**5:30 p.m. – Departmental Update – Assessing (MS-1) & Request for Partial Release of Securities.** Marti Noel, Town Assessor, explained that KRT Appraisal has completed the revaluation. At the start of the process, KRT filed a letter of credit with the town. The project is now complete other than the completion of a report to turn into DRA. Ms. Noel recommended the letter of credit be released. KRT has been billing the town monthly for this effort. Ms. Noel recommended withholding half of the final billing until after the report is released. The letter of credit is in case the contractor did not complete the job. Selectman Finan asked what the letter of credit is for. Ms. Noel explained that 10% of the billing has been withheld each month from the start. Releasing the letter of credit will release the remaining amount. Selectman Finan said the last time the reval was done, there were some problems, and is this the right time to release the money? Ms. Noel said the DRA was not satisfied with the result of the previous contractor's final cyclical analysis, but this time DRA has that information (from KRT) and has told her that they are satisfied. Vice Chairman Daniels said in the letter, the paragraph states it is the full amount, but in the last paragraph of the letter it says we are maintaining 50% - which is it? Ms. Noel explained it is not the full amount. Guy Scaife added that the contract amount was \$90,500, if they had not done the work, we would have exposure because we gave them the job that had to be completed by a certain time. This letter of credit was a security that would penalize the contractor so that the town could find another firm to complete the job. KRT has invoiced the town but the town has withheld the final payment. Vice Chairman Daniels moved to release the letter of credit as recommended by the Town Assessor. Selectman Finan seconded All were in favor. Motion passed 4/0.

Ms. Noel explained that last week, the Board of Selectman had a meeting to extend the MS-1 through October 19, 2011 because Assessing is waiting on utility values from the DRA. Similar to last year, the DRA had told the town they would be late in getting those numbers. Ms. Noel has put in the utility values at 100% and is offering it to the Board of Selectman as an option to have it submitted early enough to get the tax rate in time for the next billing. Ms. Noel's concerns include having a supplemental billing; there has not been much growth and Ms. Noel feels it would be safe to use the billing from 2010, which would require a supplemental billing if the values have changed. The other issue is the telecom companies; Milford is still in the process of getting information from FairPoint. Ms. Noel believes we can file a supplemental billing once that information is received, but we are trying to get that information from FairPoint. Ms. Noel has talked with Guy Scaife and Jack Sheehy, who feel the supplemental billing would work out. Guy Scaife noted that that data should be submitted accurately but also on time. The problem is the utilities have not provided the town timely information and DRA has not provided timely information either. This happens year after year on utility values. Milford is looking at using a third party for next year. Should the town continue to wait and risk a late tax bill or risk using last year's rates and probably do a supplemental billing? A question was raised about doing this and potential legal problems. Guy Scaife recommended moving forward with this but not file it until the end of the week in order to wait on an answer about the legal ramifications. A revised MS-1 can also be submitted. Guy Scaife advised the Board of Selectman to sign the MS-1 and that Ms. Noel hold it and see about the legal impact.

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1 Chairman Carmen asked about the supplemental billing. Guy Scaife said it is only for utility companies.  
2 Chairman Carmen asked if we can estimate differently for the utilities. Ms. Noel said yes, that could be done and  
3 issue a refund, we could bill more but then the tax rate might not cover what is necessary. Chairman Carmen said  
4 the FairPoint estimate might be conservative. Ms. Noel responded we have nothing from FairPoint at this time. It is  
5 recommended to request information every month; she recommends filing the MS-1 without the FairPoint data. The  
6 other utilities might have a small amount. Vice Chairman Daniels said the waiver from DRA for later filing, the  
7 date on the form is September 1<sup>st</sup>; do they need to provide data? Ms. Noel said they do. Vice Chairman Daniels  
8 said if they have not given the data by September 1, what do they expect the town to give by September 1? Ms.  
9 Noel said they expect the town to file an extension. The extension has been granted until October 19. If they have  
10 not supplied the data prior to September 1, Vice Chairman Daniels asked why is it up to the town to request a waiver  
11 when they have not done their part. Ms. Noel said not all communities use DRA for that information. Milford is  
12 considering a different source for next year, the DRA does not charge us extra to provide the data, but we are look-  
13 ing for it year after year.

14  
15 Selectman Bauer moved to approve the recommendation from the Town Assessor to file the MS-1. Se-  
16 lectman Finan seconded. All were in favor. Motion passed 4/0.

17  
18 Ms. Noel provided a departmental update for Assessing, noting that in summary, there are 522 Veteran's  
19 Credits, 23 of which are new this year, and 63 Elderly Exemptions, 13 of which are new this year. The Veteran's  
20 Credits increase faster than the Elderly Exemptions, which stay about the same year to year.

21  
22 **5:55 p.m. – Final Vote on Ordinance 2011-009 to Amend Milford Municipal Code 7.40 - Sidewalk Obstruc-**  
23 **tions.** Chairman Carmen opened the public hearing at 5:55 p.m. and asked if there were any public comments.  
24 There were none. Vice Chairman Daniels indicated the old ordinance for this said three or more persons cannot  
25 stand abreast in any public way and he does not understand why this is being created, when there is an ordinance on  
26 the books (7.04) that addresses people congregating on a public sidewalk or impeding passage. Selectman Bauer  
27 said it does not mention tables or blocking the passage. Vice Chairman Daniels said this ordinance looks like the  
28 old ordinance that exists he questions why we are going through this amendment. Selectman Finan said it sounds  
29 like it addresses it, but maybe that is a different application. This is a difference ordinance and is being modified to  
30 include obstructing passage in any season, not specific to winter. What has been done, according to Selectman Bau-  
31 er, is the ordinance addresses winter blockage and now it is being added to. She is still concerned that what Vice  
32 Chairman Daniels is referring to is only people (loitering) and not a set up (of tables) on the sidewalk. Chair-  
33 man Carmen does not want to overdo ordinances. Selectman Bauer wants to add to the existing ordinance. Chair-  
34 man Carmen noted that people being in the sidewalk is one thing, and things that block is another. If we do not want  
35 things in the sidewalks, everyone seems to have enough room, it is just a matter of not having things in the side-  
36 walks. Selectman Bauer is still in favor of what is being presented.

37  
38 Selectman Finan said if we could go back three months we could look at that, but it is the third hearing and  
39 it is just in two places. Vice Chairman Daniels what the status of 7.04 is in the book? Selectman Bauer said if it  
40 is something on the sidewalk in winter, it must be removed and this just extends that. Selectman Finan recommended  
41 combining the two ordinances into one. Selectman Bauer also noted that the 36" was also added, which previously  
42 had not been there, so that it is specific in order to be enforced. Selectman Finan asked if Vice Chairman Daniels  
43 objects to the intent of this ordinance. Vice Chairman Daniels is still not comfortable with the 36". Guy Scaife has  
44 not seen 7.04 but if the Board is considering combining the two ordinances, that is months away, the advantage is  
45 that having this approved, the 36" can be clear and can be enforced. Guy Scaife supports combining where applica-  
46 ble and in this case we will be starting over again if this does not move forward. We could look at a merger, if ap-  
47 plicable, in the future. Chief Douglas and Dawn Griska could analyze and come back with a recommendation. Se-  
48 lectman Bauer believes amending the existing ordinance is in order. Selectman Bauer moved to approve the 7.40  
49 ordinance as presented. Selectman Finan seconded. Selectman Finan, Selectman Bauer and Chairman Carmen were  
50 in favor, with Vice Chairman Daniels opposed. Motion passed 3/1.

51  
52 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Paul Burkhardt, Brookview Court,  
53 spoke on behalf of residents of Brookview Court and Brookview Drive who were notified of the E-911 changes be-  
54 ing proposed, requiring a name change to one or both streets. He received notice that the town wants to change the  
55 name of the streets. There will be hearings with public input, and he wanted to provide a letter to the Board which  
56 states the position of those neighborhoods. The decision to change the name rests in the hands of the Board of Se-  
57 lectman. He hopes the Board will support the residents, who do not want a change. The problem is with safety re-  
58 sponse. Mr. Burkhardt asked Community Development and was told that the Police, Fire and Ambulance depart-

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ments were contacted and asked to identify any problems in the past. Selectman Finan thought there was more to the E-911 than just that. Guy Scaife explained that response problems might be from mutual aid coming from another community. It is being looked at for all the situations and there will be public discussion and he will leave it until then. Chairman Carmen asked where Brookview Court is. Mr. Burkhardt explained it is off Whitten Road and provided a photo that shows there is no sign at the intersection. Selectman Bauer asked if DPW was contacted. Mr. Burkhardt responded that he met with Community Development who said they would notify DPW. Selectman Bauer asked if Community Development has requested the sign. Mr. Burkhardt said it was a month ago and there is still no sign. Guy Scaife indicated that can be looked into. Mr. Burkhardt thanked the Board for their time.

**4. DECISIONS**

**a) CONSENT CALENDAR.** Chairman Carmen asked if there were any items to be removed from the Consent Calendar. No items were removed for discussion. Vice Chairman Daniels moved to accept the Consent Calendar as presented. Selectman Finan seconded. All were in favor. Motion passed 4/0.

**1) Request for Acceptance of Unanticipated Funds Under \$5,000.** This is the listing of unanticipated funds under \$5,000 for Board acceptance as follows:

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
NH Masonic Charitable Foundation	\$100.00	Donation for the Kaley Park Phase II Special Purpose Fund

**2) Request to Approve Issuance of Timber Yield Tax Levy & Warrant (Map/Lot 50-6).** A timber tax levy was presented in the amount of \$6,577.14 for John Kennison and approved for the Tax Collector to issue a warrant for Map/Lot 50-6.

**3) Request to Approve Issuance of Timber Yield Tax Levy & Warrant Map/Lot 45-11.** A timber tax levy was presented in the amount of \$1,598.41 for Spring Creek Sand & Gravel and approved for the Tax Collector to issue a warrant for Map/Lot 45-11.

**b) OTHER DECISIONS.**

**1) Request for Acceptance of Proposed 2012 Town Meeting Dates & Request to Include New Items in Next Year’s Schedule.** Chairman Carmen indicated the State has sent out its target dates and the town must lay out dates for the town. Guy Scaife recommended that the date scheduled for the BAC to submit their final votes be changed from the Monday after Deliberative Session to the Tuesday after Deliberative Session. Chairman Carmen suggested getting together on Sunday February 5. Guy Scaife responded that he does not feel that one day will matter. Selectman Finan added that the 2011 session lasted 9 hours and we cannot expect people to come in the next day. Chairman Carmen stated it will not go 9 hours this year. Selectman Bauer wished to talk about the Board of Selectman and BAC various dates during October, November, December and January. The work sessions have been set. Selectman Bauer stated because the town hall meeting rooms are very booked up and we want the BAC meetings televised, the BAC needs to use this room and Dawn is trying to schedule everything. Chairman Carmen commented that it will be tight as it always is. The communication with the BAC will help a lot. Selectman Bauer suggested that once seated, the BAC needs to be made aware of those dates; but they are not seated yet. Guy Scaife stated that the Moderator has named Matt Lydon as the Chairman of the Budget Advisory Committee; he will meet with Guy next week to talk about the schedule.

**5. TOWN ADMINISTRATOR REPORT:**

**a) McLane and Goldman Dams Removal Feasibility Study & Oil Spill Update.** Guy Scaife explained the feasibility study has nothing new to report and DES is continuing to work on the spill.

**b) Town Hall Water Line Break Update.** There was a water main break on the third floor of town hall late last week, it happened late in the day but fortunately there was staff still in the building that were able to respond and assist the Community Development Department in moving items from the floor and tables. The water primarily flooded the Planner and Director’s offices and affected the entire office area. The water further traveled down into the Ambulance Director’s office. It was a great effort by employees in getting contractors to clean up the water and dry out the facility. Temporary offices have been set up for Community Development employees in the Banquet Hall. Property and Liability insurance carriers have been notified. Sheet rock had to be removed as well as carpeting and ceiling tiles. The decision was made to go with Evans Construction and that will be ongoing until the office is complete. This will be covered by insurance, other than the deductible. Guy Scaife appreciates the public bearing with this; people have worked around most of it. Within two weeks, he hopes the staff can be out of the

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1 banquet hall. One bathroom will be out of commission for a little while and there were some other leaks found  
2 during this process that we were not aware of. It is going as well as can be expected. Guy Scaife hopes to be back  
3 at full force within two weeks.

4  
5 c) **Miscellaneous.** Guy Scaife indicated that Rockingham had been the primary ambulance service for the  
6 Milford Medical Center and will cease business operations effective September 30. They have asked  
7 Milford to handle the primary ambulance services for the MMC. The volunteers on calls will increase  
8 starting next week. We hope to have that in place by November 1, 2011. We have several weeks to begin  
9 to provide that service. About 270 additional calls are anticipated. The good news is the revenue  
10 associated with it. Eric Schelberg, Ambulance Services Director, believes there will be a net of at least  
11 \$50,000. We have lots of expenses and revenue, but it costs the town a set amount to run the service. We  
12 will reduce that by picking up this service. Additional staffing will need to be added. It is a plus to the  
13 town. Moving forward to an ambulance facility, it is important that when we replace the two ambulances,  
14 we keep the old one for a spare. Currently we do about 88 calls for them per year. They know us and we  
15 know them and he is pleased they called us for this. This will provide approximately 270 additional calls  
16 which is 85%. It gives the town some pull to get a good feel for what we need to ensure we keep our level  
17 of performance up for the residents of Milford.  
18

19 Selectman Bauer asked about the spare ambulance, if the Community Facilities Committee (CFC) has  
20 asked for the design to be cut by 10%, shouldn't they now take into consideration a spare ambulance? Guy  
21 Scaife said that Mike Castagna has several design versions to present to the CFC. The committee continues  
22 to tweak the floor plan and reduce wasted space. The difference is only a couple hundred feet. The CFC is  
23 looking at that tonight and he will talk to them about the critical need to house that spare ambulance. A lot  
24 of adjustments have been made in the last couple of weeks. Chairman Carmen noted that the number being  
25 used (\$2 million) is all inclusive (land, building, demo and necessary furniture). Guy Scaife said that is  
26 correct, that is what the CFC is working to. Guy Scaife is pleased with the floor plan, it has what we think  
27 will work short- and long-term. Selectman Bauer asked if the new responsibilities will lead to additional  
28 staffing. Guy Scaife said yes, we have one paramedic on evenings and after hours, so we will need one on  
29 call to staff that ambulance. That serves all of the public. There needs to be adequate volunteers to be able  
30 to responded in a timely manner. We are looking at that and the staff is excited. They are not new  
31 positions, it is having people on call. Those volunteers might be on stipend, there are costs but the rate per  
32 hour is miniscule because they are volunteers.  
33

34 Selectman Finan asked about the paramedic, he thought Milford was picking up mostly transport business.  
35 Guy Scaife said it can also be emergency as well and might require advance capabilities. The transport is  
36 from MMC to the hospital but if that transport requires a higher skill set for transport, that is what is  
37 provided. Selectman Finan asked if the fourth bay needs to be there. If it is just to house a spare vehicle,  
38 can it be put in a temporary structure? Guy Scaife said it would be outdoor storage because there is no  
39 space at the fire department and if it is being stored, it is not ready to go. Selectman Bauer said that spare  
40 vehicle needs to be ready to go. So it would not really be a "spare" said Selectman Finan. Guy Scaife  
41 stated a spare could not be kept there ready to go as needed. It is a great plan that the CFC has in hand.  
42 There will be a point in time when a third ambulance will be necessary. The more calls we can take with  
43 our volunteers and not do mutual aid, the better for the bottom line. Vice Chairman Daniels asked if the  
44 town can take on this commitment and continue to give primary service to our own residents. Guy Scaife  
45 thinks so. Years ago the numbers showed that we have that capability, we always have mutual aid available  
46 as well. Selectman Bauer asked about the training room; it needs to accommodate 35-40 people in that  
47 room. Guy Scaife said the only plan right now has brought that down to 32 people, that plan has been  
48 modified. To keep it on site, it would work for everyone. Chairman Carmen noted the Ambulance  
49 Department really needs three ambulances that are ready to go. Selectman Finan suggested that the  
50 definition of "spare" get re-defined. Selectman Bauer suggested calling it a "back-up" because of the  
51 increase in demand. Chairman Carmen thinks it is great that this will add \$50,000 in revenue to the budget.  
52

53 **6. DISCUSSIONS.**

54  
55 a) **Osgood Pond.** Guy Scaife provided an update, stating that the dredging material from Osgood Pond  
56 could be used in the rehabilitation of the Brox property. About 2,000 cubic yards out of 80,000 cubic  
57 yards would be used for that, which leaves a lot of material. Treating the vegetative materials with the  
58 "tablets" would not address the silt materials. Dawn Griska contacted the person that brought the tab-

1 let idea up and there is a write up that can be requested, but in speaking with them, it seems it was a  
2 misunderstanding, it would not affect the silt at all. It would kill the vegetation but then the vegetation  
3 will grow back. It is not a permanent fix. Water flow would not deal with the silt either. It does not  
4 solve what the original purpose of the project was. Guy Scaife does not want there to be a misconcep-  
5 tion. If we used the tablet, Selectman Bauer said the depth of the water would still be no more than  
6 three feet. If we took out the vegetation and had to do it every year, does it make a better recreation  
7 area? Guy Scaife would say (the difference) would be miniscule. Chairman Carmen does not think  
8 there it would be a lot of fish in three feet of water. The original intent was the dredging, but it is 12  
9 acres of open water, where do we want to go with this? The voters wanted to dredge it years ago but  
10 do they still want to do that with the money set aside? We should ask the question about what the vot-  
11 ers want the town to do with that money and does the public still want to dredge the pond at all?  
12

13 Selectman Bauer does not think asking the public about moving forward is even feasible. If it gets  
14 turned down, then the town cannot take that money out to put in the General Fund. If the public turns  
15 it down, what is the alternative of what to do with the money? Chairman Carmen wants to ask if vot-  
16 ers want to keep the money in the fund to move toward dredging. Selectman Finan does not like that  
17 type of question. Guy Scaife suggested that money could go into Fund Balance. The General Fund  
18 could go to Fund Balance. It will go into the calculation but it won't get spent. Selectman Finan sug-  
19 gested asking what the voters want to do with that money. If the answer is no, he thinks we should roll  
20 that \$95,000 into a capital reserve fund for emergency management. Vice Chairman Daniels suggested  
21 we need to know what we can legally do with that money. There may be a legal path we must follow.  
22 He would like a legal opinion as to what the options are. As a voter, Selectman Bauer might not want  
23 it in a fund that is specific. If we put that back in the General Fund, Selectman Finan said people will  
24 not know what that means.  
25

26 Guy Scaife suggested getting a legal opinion from counsel on the options. If it is returned to the Gen-  
27 eral Fund it is still not appropriated. The ability to spend is altered. You can move funds from one de-  
28 partment to another but you can only spend what is approved by the voters. On a warrant article, the  
29 Town cannot spend any more than what was in the warrant article. When the tax rate is set, it can be  
30 used to reduce the tax rate. Selectman Bauer said it should be put in the warrant article with wording  
31 that people can understand and state why we do not want to put it on a separate warrant article. Vice  
32 Chairman Daniels said it was a directive of the people to say "go and do it." We tried it at that point,  
33 now 17 years later, Vice Chairman Daniels does not know if that directive still holds true. We could  
34 break tradition and put out a warrant article that the Board of Selectman does not support. Just that  
35 gives the voters the knowledge that we do not think it is a feasible project. Selectman Finan wants to  
36 find out what the original warrant article stated – how much the total was. Vice Chairman Daniels be-  
37 lieves it was just the \$75,000. Chairman Carmen stated we will check with town counsel about the  
38 money, which is a good start. We have to keep it simple, we need to be careful on what we put up on  
39 the warrant. Selectman Bauer said the BAC sees all the warrant articles and the more clear, the better.  
40 Chairman Carmen said it will be good to meet with the BAC on items like this. In two weeks, this will  
41 be back on the agenda. Guy Scaife will find the original vote on Osgood Pond. If the \$95,000 was  
42 moved into the General Fund, Selectman Finan asked if that amount is appropriated. Guy Scaife said  
43 that it would be returned to the General Fund. Vice Chairman Daniels indicated he had paperwork  
44 showing the following: in 1997, \$25,000 was approved; in 1998, \$25,000 was approved; in 1999,  
45 \$25,000 was NOT approved and in 2000, \$25,000 was approved, totaling \$75,000 on the Osgood Pond  
46 project.  
47

- 48 **b) Proposed Social Media Policy.** Chairman Carmen explained this item is back on the agenda because  
49 there are areas that might be difficult to swallow or more difficult to get a handle on or areas that  
50 should be in the employee handbook instead of a policy. Do we need to break it apart or put it in the  
51 employee handbook? We have people that can currently go online and make inappropriate statements.  
52 To move forward on this, Selectman Bauer asked what do we have to do. Are we trying to control the  
53 media use? In the past two weeks, Chairman Carmen asked what conclusions have we drawn? What  
54 have we found? Two weeks ago, Selectman Bauer said this document is well put together, but was  
55 there a particular action? Selectman Finan said there was not, it was just for the Board to digest and  
56 bring back any questions or concerns. Vice Chairman Daniels asked if there are any other groups that  
57 are talking about social media and collecting information? Selectman Finan has been contacted by  
58 three towns that knew Milford was working on this and they were asking for input on what we are

1 doing. Vice Chairman Daniels stated most people do not know where to start. If we do anything,  
2 Chairman Carmen said we would want to ease into it and start with just an amendment to the employee  
3 handbook. There are a lot of questions. The basic information is with the employees and controlling  
4 in the most basic fashion what they should and should not say or do in a social media site.  
5

6 Selectman Bauer asked if the Board should have Guy Scaife address this with the employees. Select-  
7 man Finan said there are points that we need to review to have certain things occur. Selectman Bauer  
8 would like to hear some input from the employees which will give us more information. Chairman  
9 Carmen agreed that feedback from the employees and having Guy Scaife look at that is a good idea.  
10 Selectman Bauer believes this might be more pressing than the Ethics Procedure since it will be bigger  
11 and it is not going away. Selectman Finan wants to figure out where this belongs and what we think is  
12 right. Chairman Carmen feels getting feedback is key and the rest will follow. The policies are needed  
13 for that behavior. Vice Chairman Daniels suggested it could also be split into different parts. Social  
14 media comments could affect employment. How much it will cost us is another facet. Vice Chairman  
15 Daniels feels we can move forward in educating on social media and labor laws, but before spending  
16 more time on the various departments, we should talk about the financial part of it. Selectman Finan  
17 cannot see this costing money except for having to back it up.  
18

19 Guy Scaife said there is no mandate to save all e-mails so why would it be necessary to archive Face-  
20 Book? Mandatory recordkeeping just seems to defy logic. Selectman Bauer asked if the Board agrees  
21 that the extra labor is a new cost, then what do we need to know? Guy Scaife said there could be soft-  
22 ware available to maintain it but there is a cost there. Guy Scaife has already asked Mike McInerney  
23 to look into automatic storage capabilities, so that is a start. What types of information would we need  
24 to retain? Chairman Carmen feels the employee policy should focus on employee usage to start. Se-  
25 lectman Bauer asked if it is that important to know where to put the policy? She would like to know if  
26 it is legitimate that we would have to save all this social media information. Selectman Finan sug-  
27 gested we check with LGC first. Selectman Finan said he will contact LGC and find out. Guy Scaife  
28 feels there are different pieces; he will be looking at the employee manual; the employees are already  
29 using social media. Some warnings and guidelines for personnel might be enough. Selectman Finan  
30 will contact LGC and will ask about e-mail as well. Selectman Finan suggested if an e-mail has a per-  
31 sonnel review, does that make the document different, in that it cannot be deleted? There must be a  
32 line as to what can and cannot be deleted in e-mail. More information to follow.  
33

34 c) **Board Communications Outside Public Meetings.** Chairman Carmen explained this memo from  
35 Dawn Griska is just a reminder for the Board of what is and what is not a public record. Guy Scaife in-  
36 dicated it is just a friendly reminder of the guidelines. Selectman Finan suggested that we not discuss  
37 this at this time, he does not see a problem. If there is a problem, he would like to know about it. Se-  
38 lectman Bauer feels that it sounds as though there was a problem and she agrees if there is something  
39 else going on, she would like to know about it. Selectman Bauer reiterated if there are three people on  
40 the Board that get involved in a discussion, there is a problem because it becomes a quorum.  
41

42 d) **Request for "Frequency of Use" Waiver for Town Hall Auditorium – Winter Farmer's Market**  
43 **Additional Dates.** Chairman Carmen indicated a few weeks ago there was a request that the town hall  
44 be used more than once per month for the winter farmer's market. Tracy Hutchins, DO-IT Director,  
45 has now brought forward a request for five additional dates in addition to the original request. Chair-  
46 man Carmen noted that last year this event worked great and it brings people to Milford's downtown.  
47 The additional dates requested are to allow the market to run twice per month instead of once per  
48 month. Selectman Bauer moved to approve the request from DO-IT for the five additional dates for  
49 the winter farmer's market. Selectman Finan seconded. All were in favor. Motion passed 4/0.  
50

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

52 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Chairman Carmen  
53 explained that a letter about a meeting being held in Bedford on October 19, 2011 was received regarding the Route  
54 101/Route 114 plan by DOT. Milford has been invited to attend. Guy Scaife indicated this is regarding the ten year  
55 plan for widening Route 101. Many Milford residents travel this route daily. Route 101 heading west should be a  
56 part of this project; it is in our interest to support this and it is nice to see communities working together. Chairman  
57 Carmen said it would be nice if Milford would have representation at this meeting. Guy Scaife said he could speak  
58 to those items important to Milford, but if a Board representative could also be in attendance it would be a good

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1 idea. The meeting is October 19, 2011 at 7 p.m. in the Bedford Meeting Community Room, 10 Meetinghouse Road  
2 in Bedford. Selectman Finan and Selectman Bauer indicated they will be able to attend. Selectman Bauer agreed it  
3 is helpful to have Board members at these meetings.

4 Chairman Carmen indicated the Community Facilities Committee is moving forward with their timeline on the  
5 Ambulance Facility task and will have information to present at the next Board meeting.

6 Selectman Bauer indicated that the Budget Advisory Committee (BAC) has already scheduled the police meet-  
7 ing room and asked if those meetings will be televised. Guy Scaife said that is in process. Selectman Bauer said the  
8 BAC thought they could get in the Board of Selectman room in order to televise live rather than go to the police  
9 room to set up the equipment. It would be easier and cheaper for the meetings to be held in the Board of Selectman  
10 room and be broadcast live. Selectman Bauer feels priority should be given to this group to utilize this room and the  
11 broadcasting capabilities. If suitable space for the other committees can be found, those meetings on Wednesday  
12 nights could be brought to town hall. Dawn Griska does not believe there is anywhere else in town hall for the other  
13 committees to meet. This issue will continue to be investigated.

14 Vice Chairman Daniels explained the Recycling Center demo center being kept open later than it current is on  
15 Saturdays is being looked at; he does not know the liability to cover if something gets damaged, that is being looked  
16 into. As a reminder, Vice Chairman Daniels indicated labels do not need to be taken off bottles and plastics. Se-  
17 lectman Finan said the sign at the Transfer Station says they do. Vice Chairman Daniels said they are working on  
18 changing that. Labels should be taken off cans, but not bottles or plastics. Also, plastic bags from grocery stores  
19 can be recycled at the still good shed. Students at the schools are working on updating the brochure and putting the  
20 ordinance in it. The Recycling Committee is looking to have the brochure in multiple areas at the transfer station.  
21 Also looking to get the transfer station more level, information will be put out to residents as it becomes available.  
22 Label information is in process of being made public at the transfer station. Selectman Bauer asked if the middle  
23 school has recycling program? Vice Chairman Daniels know the high school has recycle bins but not sure of the  
24 middle school. A high school student has been appointed to the Recycling Committee but that person has not shown  
25 up to a meeting yet. Selectman Finan suggested offering an incentive that the students can get excited about.

26 Selectman Finan will look into whether the Recreation Commission can meet in another area to allow the BAC  
27 to utilize the Board of Selectman room for its meetings. Guy Scaife will look into other committees that meet on  
28 Wednesday nights. Chairman Carmen suggested keeping Dawn Griska in the loop if any changes are made. Guy  
29 Scaife agreed the organizational portion of the meetings should be handled through the staff. Selectman Finan  
30 agrees that the BAC meetings should be held at Town Hall in order for a live broadcast.

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

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34 **8. APPROVAL OF FINAL MINUTES – August 29, and September 17, 2011.** Vice Chairman Daniels moved  
35 to approve the minutes of August 29, and September 17, 2011. Selectman Finan seconded. Selectman Bauer re-  
36 quested a correction to the August 29 minutes. Vice Chairman Daniels amended his motion to approve the amended  
37 minutes of August 29 and approve the September 17, 2011 minutes as presented. Selectman Finan seconded. All  
38 were in favor of the motion to approve the minutes as amended. Motion passed 4/0.

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

41 **10. NOTICES.** Notices were read by Chairman Carmen.

42  
43 **11. NON-PUBLIC SESSION.** Vice Chairman Daniels moved to enter into Non-public session at 7:50 p.m. in ac-  
44 cordance with RSA 91:A3(c) Reputation. Selectman Finan seconded. All were in favor. After discussion, Vice  
45 Chairman Daniels moved to come out of non-public session at 8:10 p.m. Selectman Finan seconded. All were in  
46 favor. Motion passed 4/0. Chairman Carmen announced that in non-public session, the Board discussed and fina-  
47 lized the Board votes for NH Association and the Assessor’s office. The minutes of this meeting were sealed on  
48 motion made by Vice Chairman Daniels and seconded by Selectman Bauer. All were in favor. Motion passed 4/0.

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50 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Vice Chairman Daniels  
51 moved to adjourn at 8:15 p.m. Selectman Finan seconded. All were in favor. Motion passed 4/0.

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55 Nate Carmen, Chairman

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55 Gary L. Daniels, Vice Chairman

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58 Katherine Bauer, Member

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Tim Finan, Member