

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
May 26, 2015

PRESENT: Mark Fougere, Chairman
Kevin Federico, Vice Chairman
Gary Daniels, Member
Mike Putnam, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary
Dave Bosquet, Videographer

EXCUSED: Katherine Bauer, Member

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

INSTRUCTIONS: Chairman Fougere called the meeting to order at 5:30 p.m., introduced Board members, noting that Selectman Bauer is excused this evening 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:

5:30 p.m. – Approvals of Elderly Exemption, Revocation of Exemption, Current Use Application and Property Abatements (6). Town Assessor Marti Noel presented the Elderly Exemption application recommended for approval. This applicant submitted late due to a sick family member for which he had to travel, causing the application to be submitted late. Selectman Putnam moved to approve the application for Elderly Exemption as presented. Selectman Daniels seconded. All were in favor. Motion passed 4/0.

Ms. Noel presented a revocation of exemption that was previously granted as the applicants have moved to Florida. Selectman Putnam moved to revoke as recommended. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

Ms. Noel presented the Land Use Change Tax for 453 Mason Road to clarify an error discovered in historic records, and is recommended for approval. Selectman Putnam moved to approve. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

Ms. Noel presented the six 2014 Abatement applications recommended for approval. Some were due to minor errors which have been corrected (application #1405, 1406, 1411 and 1412). Record number 1403 was a commercial property and an adjustment was made. Record 1409 had a depreciation error which has been corrected. Selectman Daniels moved to approve as recommended. Selectman Putnam seconded. There was no further discussion. All were in favor. Motion passed 4/0.

5:45 p.m. – Public Works Departmental Update. Rick Riendeau, DPW Director, presented an update for the Department of Public Works. The presentation reviewed facilities updates including the Fire Station roof, now in progress, and should be complete within 7 days. A transformer outside of Town Hall will be replaced by July 3. MACC Based will be notified prior to the change. Vice Chairman Fougere asked if that change will affect other businesses on Middle Street. Rick Riendeau said he did not know but feels the electric company would notify them if it did. Rick Riendeau continued that there has been a water leak issue at Riverside Cemetery, 7000 gallons per day has been leaking. The water has since been shut off at the cemetery and we are trying to come up with a new design to install. The system is so old and weak, they could not tell where the leak was and it will be re-done. Selectman Putnam thought all of the cemetery water would be shut off this year. Rick Riendeau said no, just at Riverside. There will be a full discussion with the Cemetery Trustees about this before anything is done. All of the brush cutting has also gone through the Cemetery Trustees. Rick Riendeau is working on details of the different roads options for Overall Conditional Inventory (OCI) which is based off of national standards. Currently Milford has a 65% rating. Mr. Riendeau said the majority of the town roads are in that rating and he hopes to have the analysis complete within about two weeks. Rick Riendeau is working on it, working with Cartegraph to gather the infor-

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1 mation. He is also working on Standard Operating Procedures (SOPs) getting written and in place including
2 maintenance of vehicles. Rick Riendeau went to a course last week about OCI which is a national standard that is
3 developed for accreditation where the towns need to come up with SOPs. Rick Riendeau has talked to Jack Sheehy
4 about making payroll electronic as well, since there is a lot of hard work with payroll that is done for which software
5 might be able to be used to streamline. Rick Riendeau is also looking at a space audit for the DPW building and
6 trying to look at how much more space can be gained and be more efficient, he said the biggest project will be put-
7 ting in the box culverts which will take time.

8
9 Rick Riendeau indicated the Jones bridge estimate is between \$125,000 and \$245,000; there were six bidders and he
10 hopes to get information from the State to continue that process. The Savage Road repair has been discussed with
11 an engineer; slip line might be used. Chairman Fougere asked if replacing this with a large culvert would save any
12 money? Rick Riendeau responded that will probably get 20 or 30 years just like slip lining. Under State law, Se-
13 lectman Daniels said we are required to replace it with the same material that was there before. Rick Riendeau re-
14 sponded that translates that if metal was there previously, we cannot replace it with plastic. Chairman Fougere
15 asked if there is pipe there now? Rick said yes, there are two pipes there; most everything right now in town is from
16 the 80's and are metal culverts.

17
18 Rick Riendeau indicated the beaver project was finished today; the Milford Conservation Commission was involved.
19 The Bales signal work was started today as well, for which they are replacing the box and replacing bulbs with LED
20 lighting and they are also making it more ADA compliant.

21
22 As far as roads, crack filling and road seals are different applications depending on use. In July and August these
23 will be done because it needs to be done when it is very warm. Currently, DPW is focusing on keeping the good
24 roads good. At the Milford Medical Center, mill and fill will be done in conjunction with the construction down
25 there. But Powers Street and Clinton Street mill and fill will be done at night. Chairman Fougere asked what is the
26 cause of delamination? Mr. Riendeau responded it is caused by water getting in the cracks. A full-depth reclama-
27 tion will be done on South Street down to Clinton Street because that area gets a lot of truck traffic. Vice Chairman
28 Federico asked about the OCI number that is 22%. Mr. Riendeau said that is not the full report, the goal is to do a
29 little of everything. Can we fix all the bad ones? No, we will take care of some of the good ones and some of the
30 bad ones. Mr. Riendeau indicated they want to try to get ahead for next winter. Chairman Fougere asked if a list
31 will come out based on the OCI numbers to see what is the best and the worst. Mr. Riendeau said that can be pulled
32 out now and he indicated he will send that to Board members.

33
34 Selectman Putnam asked where traffic load comes in to make those decisions? Mr. Riendeau answered that is a big
35 factor. Selectman Putnam asked if the roads that trucks use will be seen and get fixed because they have high traffic
36 loads? Mr. Riendeau responded that is correct, downtown roads are more important roads that outer roads, he also
37 noted it is based on volume and activity and he is considering a warrant article to address road rehabilitation options.
38 Mark Bender indicated we are looking at these options to look at all the road infrastructure. This breaks out each
39 section, we are really looking at the three options as an opportunity to maintain the current plan to maintain the
40 roads. Selectman Putnam's recommendation for this coming budget year is to target roads so we can try getting
41 ahead of the game. Mr. Riendeau does not think we will get ahead of the game, but we can play catch up. The large
42 option for next year's budget is to keep up with the 65% OCI number; that is what we are looking to do.

43
44 Mr. Riendeau indicated the incidental items being handled by DPW include striping and crosswalks; the oval area
45 was started and it will work outward from there. With paving, the best solution is to get a hot-box which could be
46 used during the winter and would allow hot mix to be put down in the winter. A hot-box would cost about \$25,000.
47 Selectman Putnam said that Milford talked to Amherst years ago about trading and sharing equipment between the
48 two towns for cost savings. Mr. Riendeau noted that cold patch, which we have been using, will sometimes only
49 last one day. Selectman Putnam noticed that the town has repaired several water mains and the patch lasts for years.
50 Mr. Riendeau said they are using a regular mix; the asphalt has to be kept hot and sometimes it gets torn away be-
51 cause it got cold, the hot box allows us to keep that asphalt hot. For larger potholes, Town Administrator Mark
52 Bender asked if we are better to cut it out to get a better patch? That is what Selectman Putnam had been asking.
53 Mr. Riendeau agrees that is the better way to fixing it. Selectman Putnam said it makes sense to do it that way.
54 Chairman Fougere asked if there is anything we can do with the \$60,000 left in the budget? Mr. Riendeau said the
55 department will end up spending it on road repairs; the numbers go up and down so he does not want to use up that
56 money right now.

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1 Mr. Riendeau indicated at the Transfer Station, there is metal run off in the filtration basin; this will be addressed in
2 early June. The Hazardous Waste Day had a good turnout. Chairman Fougere asked which part of the site has the
3 metal run off? Mr. Riendeau said a couple of points of egress that are monitored, which should capture some of the
4 metals that are escaping. It is surface water during heavy rain events. Eversource is going to move the lights at
5 Keyes Drive on June 2/3, that road will be closed those days to allow that switchover. Chairman Fougere asked
6 about access to Keyes Field. Mark Bender responded access will be through the Permatash side. Selectman Daniels
7 asked why did we not see that water leak down at Riverside Cemetery? Selectman Putnam explained the water is
8 billed quarterly and all of them are on one bill. Mr. Riendeau has wanted to break out the actual cost for each park /
9 cemetery but right now it is all lumped together. Mark Bender added that there are about fifty spigots at that ceme-
10 tery. Mr. Riendeau responded that there are actually 49 spigots. Mark Bender noted the new system will have au-
11 tomatic turn off. There were no further questions and the Board thanked Mr. Riendeau for the update.
12

13 **6:15 p.m. – Public Health Emergency Preparedness Plan.** Patty Crooker, Public Health Network Services/SNS
14 Coordinator, from the City of Nashua, came in to update the town on public health awareness. 2007 was the last
15 time Milford signed an agreement to have plans in place to provide different emergency management processes. In
16 2010, the H1N1 influenza was an opportunity to see how we could dispense the vaccinations. We also do medical
17 surge countermeasures to assist communities in the event where a surge overwhelms the local healthcare system.
18 The last couple of years have been quiet, but we want to have plans in place to respond in an emergency. There
19 have been some changes in the local health professionals over the last few years. There is grant funding available
20 that allows us to come out to talk to the towns about what is available. Substance abuse programs for the Souhegan
21 Valley and the region have been done. Immunization clinics have been done at SHARE monthly. It is not that it
22 has changed from emergency preparedness to instead provide other health items such as immunizations. In 2011
23 and 2014 a regional assessment was done. \$206,000 was spent in Nashua and 12 outlying towns that are covered for
24 different outreach programs. At the annual meeting on Thursday, members will decide on the next three years of
25 programs.
26

27 **6:35 p.m. – Recreation Department Hiring Update and Policy Review Regarding Employment of Relatives.**
28 Recreation Director, Arene Berry, explained that the Recreation Department has run into a problem with the existing
29 policy regarding employment of relatives. Ms. Berry indicated the Recreation Department hires approximately 20
30 part time seasonal staff members each summer employment. It is sometimes difficult to recruit these employees due
31 to the cost of the required certifications. Currently a Pool Manager has been hired and two swim coaches and 8
32 swim instructors and the open position left is for two instructors and life guards. In May 2014, a policy was passed
33 that does not allow family members to work in the same department. Ms. Berry explained the flow of the lifeguard
34 hierarchy is such that they do not interact with the Pool Manager, however, the situation Ms. Berry has encountered
35 is a potential certified lifeguard has applied, but her mother is the Pool Manager. These two people are not at the
36 pool at the same time, nor would they interact. Ms. Berry is seeking a waiver of this policy in order to fill her staff
37 at the pool. Selectman Putnam moved to have a one-time waiver of the policy in order for Ms. Berry to hire the
38 required staff as requested. Vice Chairman Federico seconded for discussion. Selectman Daniels indicated if the
39 Board waives it this one time, should we take a look at changing the policy? Selectman Daniels does not agree
40 with a one-time waiver, but agrees the policy should be looked at. Selectman Putnam does not agree with Selectman
41 Daniels; we have a policy and sometimes things change enough so that the policy can be waived. Selectman Put-
42 nam suggested we should not complicate this matter. Vice Chairman Federico stated it is a poorly written policy;
43 when we voted on this in 2014, it was a lot cleaner and would allow this type of situation. This policy says that we
44 cannot hire two siblings in the same department. Vice Chairman Federico thought the Board had approved that a
45 person cannot work for another family member. If we do a one-time waiver, we need to also clarify the policy.
46 Vice Chairman Federico would want to revise it and clarify the policy and have the new Human Resources person
47 take care of it.
48

49 Selectman Putnam moved to approve this one-time event to waive the policy and have the new HR director re-write
50 the policy. Chairman Fougere seconded and agrees it needs to be re-written and have it done ASAP. Selectman
51 Daniels wants to be sure the policy focuses on family members working within the same department is okay as long
52 as they are not working under a family member. Vice Chairman Federico wants to move forward on this. Vice
53 Chairman Federico, Selectman Putnam, and Chairman Fougere were in favor with Selectman Daniels opposed. Mo-
54 tion passed 3/1.
55

56 **6:50 p.m. – Natural Resources Inventory – Conservation Commission.** Audrey Fraizer, Chair of Conservation
57 Commission, had notified the Board of Selectmen that the Natural Resources Inventory (NRI) was completed in
58 October 2014 and she has forwarded it to Board members for review. The NRI is on the Town website for anyone

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1 to review. DPW has been great and is aware of the bank swallows and knows to pay attention to when to use those
2 soils and when not to use those soils. Ms. Fraizer has written a letter to the Board of Selectmen to discuss the three
3 recommendations of the Milford Conservation Commission (MCC) would like to move forward with.
4

5 The first recommendation is a plan to manage the American beaver. Ms. Fraizer said the American beaver is flourish-
6 ing there. We should look at the whole wetland complex and she would like to recommend to the School Board
7 to install a beaver device at the Heron Pond school. The existing culvert frequently gets blocked up. Ms. Fraizer
8 would like the Board of Selectmen to support the MCC in managing the beavers. Chairman Fougere said this was
9 also discussed last year, doing culverts on school property is a good idea. Ms. Fraizer is not fully aware of how the
10 School Board works with other boards.
11

12 The second recommendation is she also asked the Board about controlling invasive plants. Chairman Fougere asked
13 how that would work. Ms. Fraizer said some of the invasive plants could be eradicated, we just do not want them to
14 spread to other areas of town. If we can have a plan for each plant, we could work together. Vice Chairman Federi-
15 co asked if that would be someone from the MCC? If the town takes stone and sand, are we worried about contami-
16 nation? Ms. Fraizer responded not as much for stone and sand but soils, yes, but she is not a scientist. Ms. Fraizer
17 believes DPW has had some training in invasive species.
18

19 The third and biggest recommendation is to see if we can find a conservation group that might be interested in buy-
20 ing the industrial parcel. Ms. Fraizer understands the town cannot sell the property unless it is for industrial or
21 commercial use. It would need to be a warrant article at town vote to allow the Selectmen to sell the property for
22 Conservation. When we look at the industrial land from an aerial view, there is a lot of water out there. If the town
23 was able to get some money for the industrial land, she is not sure when that could happen. The taxpayers may have
24 changed their minds about what to do with the property. Ms. Fraizer has a suggested warrant article for the BOS to
25 consider and she will come back in the fall to talk about it again.
26

27 Vice Chairman Federico asked Ms. Fraizer if she has seen the new beaver device. Vice Chairman Federico asked if
28 it looked good and Ms. Fraizer said it did but the water is lower than anticipated. She was not there for the installa-
29 tion but Ms. Fraizer mentioned she also walked the rail trail to inspect beaver devices. That area was too dry, but it
30 has filled in now and the trail was safe.
31

32 Selectman Daniels would like to see the cost and how we would pay for any change. Ms. Fraizer does not anticipate
33 any cost to study it. The beaver cost is not done yet. Chairman Fougere asked what a single beaver installation
34 costs? Ms. Fraizer said one installation costs \$2,500. Vice Chairman Federico asked how many are required? Ms.
35 Fraizer thinks there are two needed now.
36

37 Vice Chairman Federico asked if Chris Costantino, MCC member, can have a conversation with DPW about inva-
38 sive species? Ms. Fraizer said there is a woman with the UNH Extension Division that she would like to have come
39 in to do that for MCC. Selectman Daniels said it is a good idea, but we just need to identify how many beaver cross-
40 ings are needed in order to come up with a cost. Chairman Fougere said the change in policy for the conservation
41 group sale is up for discussion, because that must be voted on by residents. Ms. Fraizer offered to could come back
42 in September with rationale and some numbers and identify the benefits as well. Ms. Fraizer said she does not
43 know how much the town would sell a parcel for. Chairman Fougere indicated the town paid \$1.5 million for the
44 whole parcel, the benefit of having it be industrial use is for tax revenue on a yearly basis and for jobs as well. Ms.
45 Fraizer asked how much the infrastructure out there would cost. Chairman Fougere said Bill Parker would have that
46 information. Ms. Fraizer can talk to Bill Parker to get that information.
47

48 Ms. Fraizer asked if the property is currently under negotiation? Chairman Fougere responded it is not but it is still
49 for sale. Ms. Fraizer indicated it would help to have the additional information. Chairman Fougere thinks there
50 needs to be more research to be more definite (on selling a parcel to a conservation group). Ms. Fraizer agreed there
51 needs to be more information and it needs to be more defined. The State had talked about looking at the Milford
52 wildlife species as well. Ms. Fraizer said the MCC has tried to have definite answers about the eco-types out there.
53 Ms. Fraizer asked for feedback from other Board members.
54

55 Selectman Daniels said he wants to look further into this. Vice Chairman Federico said the land has been on the
56 market for 15 years and it should go before town vote. Ms. Fraizer said another recommendation not in the letter is
57 to designate the site as a prime wetland. They were excited about the environment out there and in order for the
58 town to designate it as a prime wetland, a list of all the wetlands in town must be coordinated. Chairman Fougere

1 said that is a lot of work. Ms. Fraizer said a lot of the work might already be done, she would like to talk to the
2 MCC about that. Chairman Fougere said it is a big process because the entire community must be done. Vice
3 Chairman Federico thanked Ms. Fraizer for the update and the information.
4

5 **3. PUBLIC COMMENTS.**

6 Mike Sebus commented that he bikes at the Brox property and several other trails in Milford and he would hate
7 to see that land get developed. Once it is developed it is gone forever and the town should consider preserving at
8 least a portion of that land. Bob Parrett, Bedford, also bikes at the Brox property and visits local restaurants, fills
9 gas in his car and stops at convenience stores in town when coming to bike in Milford. Scott Nixon, Merrimack,
10 understands the town wanting tax revenue, but Milford has a rare opportunity to save something; he also bikes in
11 Milford and frequents Souhegan Cycleworks, he lives in Merrimack but spends a lot of time in Milford. Vice
12 Chairman Federico asked where these bikers ride. Scott responded at Beaver Brook, Mileslip Road forest, Burns
13 Hill and the Brox property. There are more and more people that are going up there to ride.
14

15 **4. DECISIONS.**

16 a) **CONSENT CALENDAR.** Chairman Fougere asked if there were any items to be removed from the
17 Consent Calendar for discussion. There were no items removed for discussion. Chairman Fougere read the Consent
18 Calendar items for the benefit of those watching the PEG Access live broadcast. Selectman Daniels moved to ap-
19 prove the Consent Calendar as presented. Selectman Putnam seconded. All were in favor. Motion passed 4/0.
20

21 **1) Acceptance of RSA 31:95(b) Unanticipated Funds and Property.** The request for approval of unan-
22 ticipated funds in accordance with RSA 31:95(b) and (c) was approved as follows:
23

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Federal Grant - NH Highway Safety	\$5,485.48	Funding for overtime for Milford Route 101 West corridor enforcement patrols 5-1-15 to 9-15-15
Milford Recreation comm. \$	100.00	Brick fundraiser monies to be used for the Keyes pavilion special purpose fund.
Milford Garden Club	\$ 272.50	Donation of a witch hazel tree which was Planted in Emerson Park in celebration of Arbor Day, April 24.

34
35 **2) Request for Acceptance of Property Tax Warrant.** The 2015 first real estate tax billing in the
36 amount of \$17,501,364.11 was approved.
37

38 **b) OTHER DECISIONS.**

39
40 **5. TOWN STATUS REPORT.**

41 **1) Miscellaneous.** Town Administrator Mark Bender indicated the new Human Resources Director will be
42 starting June 1, an announcement to employees will be made prior to that date.

43 **2) ZBA Membership.** The Zoning Board of Adjustment is looking for volunteers.

44 **3) Pipeline Task Force Update.** The final report is being completed and the task force would like to present it
45 to the Board of Selectmen on June 8.

46 **4) Cemetery Update.** This was provided during the DPW update earlier this evening.
47

48 **6. DISCUSSIONS**

49 **1) Request for Discontinuation of Linden Street Extension.** Town Administrator Mark Bender indicated
50 this goes back to 1914 when residents asked for an extension of Linden Street down to 10 feet from the river. Bill
51 Parker and Mark Bender were recently approached by a resident to discuss the extension portion of Linden which is
52 really just a paper road. Attorney Drescher has advised the town to get it discontinued through a warrant article. If
53 the Board of Selectmen supports this, it could go to town vote in March or residents could do a petition warrant arti-
54 cle. Selectman Putnam would like to have this run past the Water and Sewer Commissioners for review; their next
55 meeting is in two weeks. Chairman Fougere suggested getting Rick Riendeau input as well; Chairman Fougere is
56 not a big fan of discontinuing roads and wants to think about this and not just make a quick decision.

57 **2) Review of Board of Selectmen's Goals and Objectives 2015.** Chairman Fougere asked if anyone thought
58 about the goals. Selectman Putnam said the Board of Selectmen has a lot on its plate and he would like to complete

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1 some items before we add new items. Selectman Daniels noted that some of the items have already been completed.
2 Selectman Daniels would like to see an item to promote Milford as a tourist destination. Also, contract negotia-
3 tions are in 2015 and we must plan for those who are retiring. A lot of money has been spent on MUNIS, and Se-
4 lectman Daniels feels we should be sure we are using it to its full potential. Selectman Daniels said the Department
5 Mission Statements were started, but he is not sure they were ever finished. Early Budget Advisory Committee
6 (BAC) meetings should be done in 2015. Chairman Fougere would like to have the MCAA field situation as a fo-
7 cus, as the St. Joseph nursing facility is in process of closing and being sold. He would like MCAA to talk with the
8 Board of Selectmen about the existing easement and see if anything can be done with St. Joseph's.
9

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

11 **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Daniels
12 explained that the Recycling Committee is continuing to work toward a school recycling program. They might al-
13 ready be under contract with an organization. The school custodian used to take the recycling down to the Transfer
14 Station. Selectman Daniels does not know how long it has been since that was done. Paper is a big recyclable at the
15 schools. Vice Chairman Federico was approached by a local restaurant owner regarding the downtown parking,
16 asking when the 2-hour parking limit ended and why. Selectman Daniels said part of the issue with limiting the
17 parking to 2-hours was the enforcement and having the staff to enforce that limit. Jack Sheehy also remembers it
18 was enforcement because one person needed to mark the tires and follow up throughout the day. Chairman Fougere
19 received an e-mail from Mr. Hoyt with a concern about the hawkers and peddlers requirements. Chairman Fougere
20 will forward the e-mail to all members to review. Selectman Daniels thinks the Police Chief should also get a copy.
21 Chairman Fougere would like that to be on the next agenda for discussion.
22

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

24
25 **8. APPROVAL OF FINAL MINUTES.** Vice Chairman Federico moved to approve the minutes of April 27,
26 2015 as presented. Selectman Daniels seconded. All were in favor. Motion passed 4/0.
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28 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**

29
30 **10. NOTICES.** Notices were read by Chairman Fougere.
31

32 **11. NON-PUBLIC SESSION.** Vice Chairman Federico moved to enter into non-public session at 8:00 p.m. for
33 a reputation discussion. Selectman Daniels seconded. All were in favor. Motion passed 4/0. After discussion, Se-
34 lectman Putnam moved to come out of non-public session at 8:27 p.m. Vice Chairman Federico seconded. All were
35 in favor. Motion passed 4/0. Chairman Fougere announced that in non-public session two sets of non-public
36 minutes were approved, there was a reputation discussion and no other decisions were made. The non-public
37 minutes were all sealed on motion made by Vice Chairman Federico and seconded by Selectman Putnam. All were
38 in favor. Motion passed 4/0.
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40 **12. ADJOURNMENT:** There being no further business to come before this meeting, Selectman Daniels moved to
41 adjourn at 8:15 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.
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46 Mark Fougere, Chairman
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46 Kevin Federico, Vice Chairman
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51 Gary Daniels, Member
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51 Katherine Bauer, Member
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56 Mike Putnam, Member