

**APPROVED and Unsealed 8/20/2018**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN NON-PUBLIC MEETING**  
**LEGAL – FEBRUARY 27, 2017**

**PRESENT:** Mark Fougere, Chairman  
Kevin Federico, Vice Chairman (via Skype)  
Katherine Bauer, Member  
Mike Putnam, Member  
Gary L. Daniels, Member  
Mark Bender, Town Administrator  
Darlene J. Bouffard, Recording Secretary  
Marti Noel, Assessor

**1. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into non-public session at 5:00 p.m. in accordance with RSA 91-A:3 II (e) – legal. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

**Legal:** Town Assessor Marti Noel explained she has a Current Use application for Federal Hill Road where the owners took two parcels and created a third parcel. Ms. Noel took a picture of the subdivision of this parcel, in the end it was for a divorce and splitting up ownership, the Board had to decide before it knew about the divorce, the division of the parcel was to let the Current Use go through. The judge determined that this was not a subdivision. All involved were surprised at the outcome including the attorney. Ms. Noel feels the outcome will not change, and asked if the Board wants to appeal it before signing the abatement forms. It was \$11,000 for Land Use Change Tax and it was advised by the attorney to put the land that came out of Current Use back into Current Use. Selectman Putnam asked if there are any other legal ramifications? Ms. Noel answered if we win, we would get back the Land Use Change Tax and abatement but it is still up in the air if we would win because it is not a subdivision.

Mark Bender explained they subdivided it and sold three lots. Ms. Noel said it is just a real mess and she does not think this will clean it up. Even the opposing party was surprised by the decision. Selectman Daniels asked about the third parcel that was created, did they do anything with that? Ms. Noel stated that is the house they were living in, she will be selling that parcel. Mark Bender asked if it fell below the ten acres? Ms. Noel said yes but because the two parties owned enough land, the judge allowed this.

Selectman Putnam moved to let it go and cut the town's losses. Selectman Bauer seconded. Vice Chairman Federico agreed with the motion. Ms. Noel would like to work with Lincoln on having the deeds filed with the plan. She is seeing a lot of this, we can clean it up with the Planning Board. If the deeds are not filed with the plan within thirty days, it will become null and void. Paul Amato had the same exact thing, it is becoming common. All were in favor of the motion. Motion passed 5/0.

Ms. Noel asked that the Board sign the forms provided and then she was dismissed from the meeting.

**Fletcher:** At 5:15 Town Administrator Mark Bender indicated the Fletcher restoration project is moving along and the Keyes Expansion Committee has asked about possibly providing input for the lot; the Fletcher plan was for a grass slope and rip-rap to the river and parking lot. In a conversation with GE, it was felt the town could do more so a sidewalk, trail and some decorative lights were discussed. Out of that conversation, a circular walkway, trees, bushes, granite posts with lights were identified. The cost would be over \$250,000. Mark Bender asked GE what they thought of this idea and he met with them around Christmas. The EPA and DES both support it. Mark Bender is now getting feedback that GE might install the conduit for us and the walking path and viewing platform. Mark Bender does not think a paved path will be done by them, but if they are willing to do some seeding, trail and other things, it might save the town about \$100,000. We will be entering the final phase of the restoration, and Mark Bender asked if the Board would support this plan, with GE possibly taking some of the items on their nickel, and would the Board support it?

Selectman Daniels asked if this will be a year round plan? Mark Bender yes, especially if it is paved, we could barricade the paths in the winter but it is yet to be determined what the final plan would be. Selectman Putnam indicat-

APPROVED MINUTES OF NON-PUBLIC (LEGAL) BOS MEETING 2/27/17

ed at least 6 or 7 plans have come to this Board about what to do with that property. Mark Bender indicated there are about 20 parking spaces being added and the project is coming along nicely. Chairman Fougere said it is a good entrance to Keyes Park. Once the cover is in, it is clay sand and top soil, Mark Bender said once that is done, we cannot cut into it. Vice Chairman Federico suggested getting what we can out of GE. Chairman Fougere agreed, stating the town has been dealing with this for 25 years. Selectman Daniels would like to see a cost analysis for how much it will cost DPW to maintain it. He hopes that it will not turn out to be that another person is needed for maintenance. Selectman Putnam and Selectman Bauer were in favor of this plan, although Selectman Putnam is also interested in the cost for maintenance. All members concurred.

**Dog Park:** Mark Bender indicated the group was looking at using Adams Field or Kaley Park for the dog park. Mark Bender suggested having them consider the Mill Street property once the work is complete. The abutters/neighbors have been contacted to notify them that it is being considered.

Selectman Putnam moved to come out of non-public session at 5:21 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Selectman Putnam moved to seal the minutes of this non-public session. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Chairman Fougere announced that in non-public session the Board made two decisions.

\_\_\_\_\_  
Mark Fougere, Chairman

\_\_\_\_\_  
Kevin Federico, Vice Chairman

\_\_\_\_\_  
Katherine Bauer, Member

\_\_\_\_\_  
Mike Putnam, Member

\_\_\_\_\_  
Gary Daniels, Member

PERMANENTLY UNSEALED BY Board of Selectmen 8-20-18: 5/0