

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
January 14, 2019

PRESENT: Kevin Federico, Chairman
Gary Daniels, Vice Chairman
Mike Putnam, Member
Laura Dudziak, Member
Paul Dargie, Member
Mark Bender, Town Administrator
Tina Philbrick, Recording Secretary
Hazen Soucy, Videographer

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Federico 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 Federico 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: (Approximate times)

5:30 p.m. – Review of Application for Revitalization Tax Relief Incentive Program – Granite Holdings LLC, Map 21 Lot 6-1 on 5 Granite Street – Tucker MacCarthy and Community Development Director Lincoln Daley.

Lincoln gave a brief overview – The applicant is seeking approval for the Community Revitalization Tax Relief Incentive Program Application related to the replacement of 39 windows and internal renovation of a 3,528 square foot 2.5 story, wood framed residential duplex structure. The building has been in need of renovations for quite some time. To qualify for tax relief under this program, the proposed substantial rehabilitation must provide a minimum of one of the public benefits listed in RSA 79-E:7. This allows a piece of property that meets statutory requirements, to have investments made that would not be taxed for up to five years for that increase in investment. The applicant is seeking a 5-year exemption. Statutory requirements include:

- Enhancement of the economic vitality of the downtown.
- Promotion of the preservation and reuse of existing building stock.
- Enhancement or improvement of a culturally or historically important structure.
- It promotes the development of municipal centers, providing for efficiency, safety, and a greater sense of community.
- Growth of the residential housing in urban or town centers.

Staff supports the granting of the requested tax exemption as it meets several of the required criteria pursuant to RSA 79-E. Tucker said they've been working hard on the property. The inside of the property was as bad inside as outside.

Selectman Daniels asked if the future additional apartment mentioned in the application will have to go to the Planning Board again. Tucker said it requires a variance. He went to the zoning board to ask for two additional apartments and was denied. He is planning to go again and ask for just one additional unit. We would look to renovate a two-story barn for the additional unit. Selectman Dudziak asked how long the property has been empty. Tucker replied about a week prior to the closing in early November.

Selectman Dargie asked if the tax elimination is based on what they spend or what's in the application, and is it frozen for the five years. Lincoln said it's based on what they actually spend and the amount will be frozen for five years. At the end of the five year period the property will be re-assessed for the current value.

Selectman Daniels made a motion to approve the 79-E application request because it enhances the economic vitality of the downtown, promotes the preservation and reuse of existing building stock and promotes the development of municipal centers, providing for efficiency, safety, and a greater sense of community. Selectman Putnam seconded. **All were in favor. The motion passed 5/0.**

Lincoln said the last step for the applicant would be for the applicant to submit a covenant to be signed by the town and recorded at the registry of deeds sighting the public benefits and the time frame approved this evening.

5:40 p.m. - Review of Application for Revitalization Tax Relief Incentive Program – Turtle Creek Properties, LLC, Map 21 Lot 6 on 29 Mont Vernon Street – Cynthia Dokmo and Community Development Director Lincoln Daley.

Lincoln gave a brief overview – The applicant is seeking approval for the Community Revitalization Tax Relief Incentive Program Application related to the rehabilitation of the exterior repair and replacement of siding, removal, and upgrade of electrical wiring and associated work, and insulation work to improve building efficiencies. The proposed interior rehabilitation will entail the replacement of two bathrooms to meet current ADA requirements and accessibility. Site Plan Approval was received from the Milford Planning Board for a change of use from the former Montessori School to an event center,

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restaurant, and office space. Staff supports the granting of the requested tax exemption as it meets several of the required criteria pursuant to RSA 79-E.

Selectman Putnam asked if anything would be done to the barn. Cynthia replied not yet, but she hopes to make it into a big event center. She spoke of obtaining more parking. The main structure is her first priority. She also noted that she made a mistake on the application and only asked for four years, she would like five. Lincoln said a separate application would be needed for the barn if Cynthia were to renovate it.

Chairman Federico made a motion to approve the 79-E application request with a five year extension because it enhances the economic vitality of the downtown, enhances or improves a culturally or historically important structure, promotes the preservation and reuse of existing building stock and promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community. Selectman Dudziak seconded. **All were in favor. The motion passed 5/0.**

Administrator Bender thanked Cynthia for taking on this project of a historically important property in Milford. The Colonel Shepard house dates to 1757. Administrator Bender asked Lincoln how many applications we've received so far. Lincoln said three in two years; it's in line with other communities who implemented the program. He reminded the Board that this differs from the Industrial Tax Exemption that the Town approved last year.

6:30 p.m. – Budget and Bond Hearing – See separate set of minutes.

3. PUBLIC COMMENTS. – There were no public comments at this time.

4. DECISIONS.

a) CONSENT CALENDAR. Chairman Federico asked if there were any items to be removed from the Consent Calendar for discussion. There were no items to be removed. Selectman Putnam moved to approve the consent calendar as presented. Selectman Daniels seconded. **All were in favor. The motion passed 5/0.**

1. Signature Pages for Pre-Deliberative Session Voting/Re-voting on all Appropriation/Non-Appropriation 2019 Warrant Articles.

2. Request for Approval of Three Parade Permits – Memorial Day, Labor Day and Veterans Day.

3. Request to change Jacob LaFontaine from an alternate member to a full member of the Planning Board

b) OTHER DECISIONS N/A

5. TOWN STATUS REPORT – N/A

6. DISCUSSIONS: N/A

7. SELECTMEN'S REPORTS/DISCUSSIONS.

a. FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.

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

8. APPROVAL OF FINAL MINUTES. Selectman Putnam moved to approve the minutes of January 7, 2019. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

10. NOTICES. Chairman Federico read the notices.

11. NON-PUBLIC SESSION. N/A

12. ADJOURNMENT: The Board of Selectman recessed from this regular Board of Selectman meeting at 5:55 p.m. in order to hold the 2019 Budget and Bond Public Hearing. This meeting reconvened at 9:00 after the Budget & Bond Public Hearing.

Chairman Federico asked the Board if anyone wanted to make any changes as a result of the Budget and Bond Hearing.

Warrant Article 19, Osgood Pond Phase II - Selectman Dudziak recently had a conversation with Chris Costantino who spoke in her opinion and not on behalf of the Commission. She doesn't support the warrant article because there is nothing to be gained from an environmental standpoint by dredging upstream. Dredging would impact the existing species that are there and the current area provides for a more diverse species. Based on this information, Selectman Dudziak changed her

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vote to oppose. Chairman Federico said this warrant article is currently 4/1, with Selectman Dudziak changing her vote; it would be 3/2 still in favor of moving forward with it.

Warrant Article 3, Milford Dispatch Equipment - Selectman Daniels said we've heard a number of comments on this article. He feels we need additional information on it.

Warrant Article 8, Town Operating Budget - Selectman Daniels brought up the amount of fund balance we were going to use, and whether or not it would get his support. Chairman Federico said there was also a request from the Budget Advisory Committee to add \$50,000 to the total amount for a new Police Vehicle. The amount would increase to \$14,767,252. He asked the Board for their suggestions. Selectman Dargie said he would support the increase. Chairman Federico said with the reduction of the \$59,000 on the Workman's Comp he is considering increasing the budget by \$50,000 and also increasing the use of unrestricted fund balance from \$200,000 to \$400,000. Selectman Putnam feels \$500,000 is the way to go. Selectman Daniels doesn't see the purpose in reducing a balance when you're adding more money into it. They've replaced another vehicle's engine and that one has zero miles on it. Administrator Bender said the vehicle that has 178,000 miles on it is a drug forfeiture car that is used for surveillance. It isn't a fleet car.

Chief Viola said we have to prioritize what's important. He feels that if DPW needs a vehicle that the town is going to use more, the Board needs to make the decision on what's more important at this time. He asked if the Board was only going to do one Police Vehicle, to take into consideration the maintenance. Last year they did \$10,000. He wants to make sure that the employees and all departments are taken care of.

Selectman Putnam would consider adding \$50,000 for the cruiser if we did away with the dredging of Osgood Pond and increased the unrestricted fund balance amount to \$500,000. Selectman Dudziak said she wouldn't agree to the \$500,000. We need to have between 5% and 15% in there, it's finally built up and she doesn't want to see it down again. Selectman Putnam said it was brought lower because there was too much money in there. We're holding the taxpayers money for "just in case". There is over \$3,000,000 in there if we take out \$500,000 it still leaves us with over \$2,000,000 and around where we should be.

Selectman Daniels said we would be at 7.1% if we use \$500,000. Selectman Dargie clarified that Selectman Daniels vote would be determined on the amount removed from the unrestricted revenue and asked Selectman Daniels what number he would be comfortable at. Selectman Daniels said \$500,000. There are things on the warrants that are a one-time things, like the pool pump and Osgood Pond. It's easier to sell a rate if the tax rate is going down, even if it's only .06. Chairman Federico asked if there was any further discussion. Administrator Bender said they were deciding two things: a reduction of \$500,000 lowering the tax rate by 6 cents and an addition of \$50,000 into the budget for another cruiser at an additional 3.6 cents. Jack said the tax rate only goes down 3% with the \$500,000 and increases to 3.6 cents with the \$50,000.

A motion was made by Selectman Putnam to increase the use of the fund balance from \$200,000 to \$500,000. Selectman Daniels seconded. Chairman Federico asked if everything were to pass what would our tax rate be. Administrator Bender said 6.32 compared to the current rate of 6.38. The motion passed 3/2 with Selectmen's Dargie and Dudziak opposed.

Chairman Federico made a motion to add \$50,000 back into the budget for a police cruiser. Selectman Dargie seconded. Selectman Daniels said he is voting against it. He feels the most important asset with the Police Department is their personnel. He was questioned on their 4% increases compared to the Teamsters who were getting 3.5% and 2%. We are taking care of our officers and have to give and take. He will vote for their contract but not the car. The motion failed 3/2 with Selectmen's Putnam, Daniels and Dudziak opposed.

Warrant Article 17 – Public Safety Communication Equipment Replacement Capital Reserve - Chairman Federico said there was a suggestion from the BAC to add \$20,000 to make the warrant article increase to \$40,000. Selectman Dargie made a motion to increase the warrant to \$40,000. Chairman Federico seconded for discussion. Selectman Dargie said when it was first established the estimate for equipment was for \$400,000 over a period of time at \$20,000 per year. With the expectations that things will change at MACC Base, they will need to buy things sooner and ramp it up quicker. Selectman Daniels said he doesn't know why we would go buy something when we don't know where we will end up with the other stuff. He wants all the communication stuff working together in the end.

Chairman Federico said the warrant article is for public safety communication replacement equipment for portables and car radios. We're always going to need and use that money. It doesn't matter what happens, this money can be used for DPW radios. It's separate from MACC Base. The motion failed 4/1 with Selectmen Dargie in favor.

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Warrant Article 19 – Osgood Pond Phase II - Selectman Daniels said the text in the article is missing a word. He thinks it should be Land and Water Conservation Fund Grant, remove the LWCF in front of the word grant. The change was noted.

Warrant Article 23 – AFSCME Contract - Selectman Daniels said the word “will” need to be removed. The change was noted.

Warrant Article 25 – Pumpkin Festival - Selectman Daniels asked for discussion on the words “on any action thereof”. Jack clarified that the language is a throwback to town meeting. When you go to town meeting, it’s a vote and you’re going to take any action thereof. He doesn’t feel it’s appropriate in an SB2 environment and he will ask Town Council for clarification. He said it just doesn’t make sense. Selectman Daniels said it makes sense at the deliberative session. Jack said, what kind of action are you going to take with the warrant article? Selectman Daniels said, you may want to move to make an amendment on non contract articles. Jack said that’s an amendment. There was more discussion and Jack will confer with Town Council.

Warrant Article 27 – Teamsters Union Collective Bargaining Agreement - Selectman Daniels said the word “will” need to be removed. The change was noted.

Selectman Daniels said there was a comment during the break about the Pumpkin Festival currently having about a \$20,000 balance. There should be an explanation of what the balance is and that the committee is looking for one more year before being self-funding. It was agreed that it would be in the supporting statement from the Board of Selectman and a narrative in the voter’s guide.

Selectman Daniels said we should find out the balance of the Labor Day Parade.

Warrant Article 32 – Multi-Year Lease of Town Property for a Solar Farm - Selectman Daniels said comments were made on a tax impact on long term contracts and restoration, he asked if there should be language included to clean that up. We also need to remove the word “personal” from the warrant article. Chairman Federico asked why the statement “this article has no tax impact” used. Selectman Dargie said the phrase is relative to next year for some portion of \$2,500 so it’s a minimal tax impact for 2019. Chairman Federico said the statement is misleading. There was more discussion and Administrator Bender said they could add that information in their majority/minority reports and topical description. They decided to add the words, this article has no tax impact in 2019 to articles that have no tax impact.

Chairman Federico said these are DRAFT and we meet again on the 28th, so we still have time. Tina Philbrick, Executive Assistant said they have to be posted in public places that include the Town Hall, Library and School by the 28th. Jack said we will need all information prior to the 28th so he can complete the MS 636 (DRA Form) which also has to be posted with the warrant articles. Chairman Federico said for clarification, final edits and decisions are needed tonight.

Warrant Article 33 – Vietnam Memorial - Selectman Daniels asked to remove the word war before the words “Vietnam War Memorial” we don’t need the word war two times. He said based on Mr. Richie’s comments earlier, he’s inclined to change his support. His point of when you’re taking in donations, the Town loses control of what comes out of this was a good one. Selectman Daniels said the warrant article is just for taking in donations but there is another part of it. The \$125,000 is far more than what Mr. Richie says should be used. Selectman Putnam has spoken to others about the same thing and he agrees, making it simple is better.

Selectman Dargie said the Board of Selectman maintains control over the funds so when it gets to the point of actually doing something the Board can decide whether or not to approve it. Selectman Daniels asked what’s the end result going to be. In Mr. Richie’s case, if it’s something simple he would support it, but if it’s what’s been put before us, he won’t. There was more discussion and Selectman Dargie said he would like to take out the phrase “the purpose of this fund is to support the plan proposed by the Vietnam Memorial Committee” because that locks it into that committee coming up with a plan. It should be open so that there could be another committee come in to do it. He recommends the same removal for the Warrant Article 34, the Freedom Memorial.

Selectman Daniels questioned if we also want to keep the dollar amounts in there, the amounts go back to the part that Selectman Dargie is suggesting. Chairman Federico said these warrant articles were presented to us as funding mechanisms so they would have the ability to fundraise and a place to put funds. He doesn’t think these articles should get tied to approval of designs. He doesn’t want this article to point to a specific design and say, this is the one we’re going with. Selectman Daniels suggest it read, “Shall the town vote to establish a special revenue fund under the provisions of RSA to accept donations, for a period not to exceed 25 years, for the design, construction and maintenance of a Vietnam War Me-

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morial on town property? Expenditures from this fund shall be authorized by the Board of Selectmen”. The other Selectman agreed with this. Selectman Dargie suggests we do the same for the Freedom Memorial. After further discussion it was decided that Warrant Article 34 Freedom Memorial would be changed to “Shall the town vote to establish a special revenue fund under the provisions of RSA 31:19 to accept donations for a period not to exceed 25 years, for the design, construction, and maintenance of a Freedom Memorial on town property to recognize citizens lost on 911 and those lost through subsequent military actions? Expenditures from this fund shall be authorized by the Board of Selectmen”. Selectman Putnam changed his vote to yes upon the alteration of Warrant Article 34. The vote now stands at 5/0.

Warrant Article 8 - Town Operating Budget - Chairman Federico asked Selectman Daniels if he wanted to change his vote on this warrant article. Selectman Daniels said he would change it to yes. The vote now stands at 5/0.

Warrant Article 19 Osgood Pond - Selectman Putnam asked if anyone else wanted to change their votes on after the information provided by Chris. The article is currently 3/2 in favor. No one said anything.

Warrant Article 15 – Ambulance Vehicle Replacement Capital Reserve - Selectman Daniels said he will change his vote to yes. The vote now stands at 5/0.

Warrant Article 22 – Social Services - Selectman Putnam said he will change his vote to yes. The vote now stands at 5/0.

Warrant Article 25 – Pumpkin Festival – After further discussion and it was decided to keep this article the way it was and not add in any additional language.

Warrant Article 19 – Osgood Pond Phase II – Chairman Federico said he was changing his vote to no on this warrant article. The vote now stands 3/2 opposed with Chairman Federico, Selectman Putnam and Selectman Dudziak opposed.

FINAL ADJOURNMENT: There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 10:30 p.m. Selectman Daniels seconded. All were in favor. The motion passed 5/0.

Kevin Federico, Chairman

Gary Daniels, Vice Chairman

Mike Putnam, Member

Laura Dudziak, Member

Paul Dargie, Member