

**MINUTES OF THE MILFORD BOARD OF SELECTMEN NON-PUBLIC MEETING
LEGAL – JANUARY 26, 2015**

PRESENT: Gary L. Daniels, Chairman
Mark Fougere, Vice Chairman
Katherine Bauer, Member
Mike Putnam, Member
Kevin Federico, Member
Darlene J. Bouffard, Recording Secretary

1. NON-PUBLIC SESSION. Selectman Putnam moved to enter into non-public session at 5:30 p.m. in accordance with RSA 91-A:3 II (e) – Legal. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Town Assessor Marti Noel explained she is bringing this before the Board in order to bring this property back into Current Use, there was a subdivision plan; and plan shows the land the way it was in 2013 before there was a subdivision plan approved. On April 2, 2013 a subdivision plan was approved by the Planning Board. Chairman Daniels asked about the paperwork and Ms. Noel indicated the parcels are owned by two different parties. This is the property previously owned by Mr. Dannis. Once the subdivision was created, Ms. Noel did not need to worry about it but a couple of issues came up because there was a transfer of deed. When the blue lot was created, the yellow lots were part of a different plan. There was a lot of land swapping going on. Ownership was changing and no deed was transferred. Ms. Noel talked a lot about this with Bill Drescher. Statute 674:37a was used to determine the value. Both parties owned it. Both parcels are in Current Use. Once there is a break in ownership, you have to look at Current Use. Both parties owned jointly, and we had to look at if it was still in Current Use. There was plenty of land to keep it all in Current Use. The continuous parcels must be owned by the same owner and eligible for Current Use; the yellow lots all identify ownership. "Mr." owned these lots and in August 2013 he sold one parcel. That brought it below the ten acres. Mark Bender indicated the three other parcels are shown to total less than ten acres. Ms. Noel found this in June and brought it to the owner's attention and he got attorneys involved. Bill Drescher was brought in and agrees it should come out of Current Use.

Vice Chairman Fougere asked if the owner is contesting the Current Use. Ms. Noel explained the attorney is questioning it. He represents "Mrs." but Ms. Noel indicated that this land is owned by "Mr." Ms. Noel asked for Vice Chairman Fougere's opinion on this case. Vice Chairman Fougere answered we have to go by the deeds. Ms. Noel said they are not deeded; the deeds show it is owned by both of them (Mr. and Mrs.). Unless a deed shows a transfer, Vice Chairman Fougere said it would remain in the same ownership that it was. Ms. Noel is looking for understanding and that the Board knows that this might be contested. It is \$11,000 for removal from Current Use and \$600 for the parcel in Current Use.

Selectman Putnam moved to send the tax bill to the owner (out of Current Use) and see what happens. Selectman Bauer seconded. All were in favor. Motion passed 5/0. Selectman Federico commented that if the deed states they both own it then that is all we have.

Selectman Putnam moved to seal the minutes of this non-public session. Selectman Federico seconded. All were in favor. Motion passed 5/0. Selectman Putnam then moved to come out of non-public session at 5:45 p.m. Selectman Federico seconded. All were in favor. Motion passed 5/0.

Gary Daniels, Chairman

Mark Fougere, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Kevin Federico, Member