

**APPROVED**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**  
May 13, 2019

**PRESENT:** Gary Daniels, Chairman Mark Bender, Town Administrator - excused  
Paul Dargie, Vice Chairman Tina Philbrick, Recording Secretary  
Mike Putnam, Member Hazen Soucy, Videographer  
Laura Dudziak, Member  
Chris Labonte, Member

**1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING**  
**INSTRUCTIONS:** Chairman Daniels 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 Daniels informed the public that Town Administrator Bender was excused. Chairman Daniels 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 Water/Waste Water Projects and Road Impact – Director Kevin Stetson**

Kevin gave the Board a brief presentation of the project: This project was recommended after review of the 2018 Water System 10-Year Master Plan. The project will be a benefit to Milford to improve water pressure and flow.

The Water Main Improvements Project is planned to begin on May 13, 2019.

LOCATION	ANTICIPATED DATES
Nashua Street (Linden/Shepard)	May 13 – June 7
Nashua Street (High/Clinton)	June 3 – July 5
Elm Street (Union)	July 1 – July 19
Union Street (Elm)	July 15 – August 23

**Highlights -**

- All work will be coordinated with Milford Police and Fire departments along with Milford DPW for any traffic restrictions.
- One-way alternating traffic is anticipated throughout the project, with the exception of the jack and bore work on Union Street (estimated 5-10 days). (Railroad track crossing)
- The most traffic disruptive work will be done at night (7pm-7am).
- Traffic flow priority will always be given to emergency services (and buses on school days)

Chairman Daniels reminded people that they can find road closures and other notices if they sign up for NIXLE. Directions are on the web site under Fire Department.

**5:45 p.m. - Approval of Souhegan Site for Future Dog Park – Community Development Director Lincoln Daley, Recreation Director Arene Berry and Milford Dog Park President, Kierstyn Williamson.**

Lincoln gave the Board a brief overview of the project: they are here today to update Board members regarding (1) the status and proposed location of the dog park and (2) to seek a letter of support by the elected body as required by the PetSafe “Bark for Your Park” grant program application.

The Milford NH Dog Park Association and Town staff members were before the Board last July to discuss/prioritize locations for a dog park. Upon conclusion of the discussion, members selected the undeveloped rear 6 acre portion of the property owned by Brookstone Manor located at 135 Elm Street. Unfortunately, we were informed by the owner that the property is being listed for sale and would not be available at this time as a location for the park. Given the uncertainty of the property’s availability, we are recommending that the Board Members consider the second prioritized site located off of Souhegan Street (Tax Map 26, Lot 110, 0 Souhegan Street).

The 8.5 acre, Town owned property directly abuts the Souhegan River to the south and west and residential properties to the north. The property is accessed from two locations, a pathway from the Swing Bridge and a dedicated Right-of-Way from Souhegan Street. We are seeking Board support to construct the dog park on the subject property.

To fund the construction and fencing of the dog park, the Milford NH Dog Park Association will be submitting an application for the 2020 PetSafe “Bark for Your Park” grant program. This will be in addition to fund raising efforts. A requirement of the grant application is a letter from the governing body stating their support for the project and that the

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selected property can be used for a dog park. We are also requesting that the Board authorize the Town Administrator to sign said letter of support (to be drafted) on behalf of the Town.

Selectman Dudziak asked if the property was completely wooded, and would they be leaving any of the trees along the river. Lincoln said it was partially field space but mainly wooded. The physical location and design have not been completed yet. Tonight is just to allow the Milford Dog Park people to go forward with the application. They will preserve as many of the trees on the property as possible. With any kind of dog park location, there will be noise but we will minimize it as much as possible. As previously discussed, there will be a set of rules that will be enforced for hours of operation.

Selectman Putnam asked about the two means of access. Lincoln said there is a foot path directly off swing bridge and a dedicated area on the right side of the property which is a right of way to the property itself. We envision a parking lot on the first portion of the town owned property; the dog park would be to the left of that area. Selectman Putnam said the foot path is steep and could be a hazard. Lincoln said it would have to be modified to be a safe passage area.

Chairman Daniels asked how far would this be off the river. Lincoln said as far as possible because of potential flooding due to it being in a flood zone. Lincoln said they would have to consult with NH DES to make sure the location doesn't impact the river.

Selectman Labonte asked if any contact has been made with the neighbors to see what their thoughts are on this. Lincoln said no. Part of going forward would be to do an outreach program with the neighborhood to identify concerns and make sure everything is addressed. Selectman Labonte said he would like to hear the neighborhoods opinion before voting on this.

Selectman Dargie asked if this would be going to the Planning Board. Lincoln said yes as it will be a non-profit on Town property. Selectman Dargie is okay with voting to support this but only after it goes through planning, design, Planning Board and a public discussion about it.

Selectman Dudziak asked if there was a deadline for the grant. Lincoln said May of 2020, we have some time. Arene said they were trying to get it in for this year, but they are not opening up the grant process for this year. We still want to move forward to get the project going because the association has held off on any large fundraisers/donations because they don't want to collect large amounts of money and have to return it.

Selectman Putnam said the area they want is a big area for drugs and alcohol, he asked if it's been discussed with the Police Department and would it be a problem with people taking their dogs to this area. Lincoln said they would contact the Police Department with those questions.

Dale White, Milford resident has concerns about additional traffic going through the entrance area every day. The entrance goes down to his shop which has been there since the late 1800's. He has had multiple dogs and he isn't against dogs. His concern is that there are a lot of people working out of that facility and it's not always a normal business day depending on the time of year and would it be safe to add more people there. He knows we own the property but the driveway that comes from Souhegan Street into that facility is Leighton Whites property and the Town has the right of way on it. The area is already congested and they have 47 registered vehicles that go through there, although not all at the same time, they try to respect it. They have never had a complaint on truck traffic or noise. He said it's a good spot, but not maybe the best spot.

Chairman Daniels asked Lincoln what the process was for this, it appears as though there are many things that haven't been looked at yet. Lincoln asked if they wanted a design first. Chairman Daniels said he would like answers to some of the questions raised tonight. Lincoln said these questions would be asked of any other location so they will go back and do some more homework.

Chairman Daniels clarified that it would be privately funded. Kierstyn said yes. They won't take in big donations without a permanent location. They were hoping some of the clearing could be done by DPW but most of it would be done through donations. Chairman Daniels asked how much time they thought DPW would need to help. Kierstyn said she didn't know. Arene said it would depend on the location and how much clearing would be needed. It would have been minimal at Brookstone. Perry Road would have been significant. At the Souhegan lot, quite a bit is cleared already. It wouldn't be much of an impact.

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Lincoln said dog parks on water bodies are also not uncommon. There is one in Concord and a few other places; it isn't unique to New Hampshire. Chairman Daniels said he is more concerned with the state laws governing clearing near a river. Arene said they would obtain all the necessary permits needed.

Lincoln asked if they wanted to include public outreach as part of their efforts also. Chairman Daniels said all information they could bring to the Board would be good. Selectman Dargie clarified the acres on the lot; Lincoln said it was 8.5 acres. Selectman Dargie asked how many acres would be fenced in for the dog part. Kierstyn said they would need up to  $\frac{3}{4}$  of an acre.

Dale White referred to the map and asked what the red and blue lines were. Lincoln said the blue lines were the 100 year floodplain and the red was the 500 year floodplain.

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

### **4. DECISIONS.**

**a) CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the consent calendar. There were no items removed. Selectmen Putnam made a motion to accept the consent calendar as presented. Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

1) Request Authorization for Town Administrator to sign the Clean Water State Revolving Loan Application for the Wastewater Collection System Asset Management Plan - \$30,000

2) Request Authorization for Town Administrator to sign the Clean Water State Revolving Loan Application for the Wastewater CIP Phase 2 Upgrades – Dewatering - \$503,635

3) NH RSA (31:95(b)) Request for Acceptance and Appropriation of Unanticipated Revenues under \$10,000 –

- O'Connor Trust Fund - \$5,000 Third of 5 payments for Keyes Expansion Project

- American Legion-Ricciardi Hartshorn Post 23 - \$500 Milford Annual Fishing Derby

- Silva Properties - \$100 Milford Annual Fishing Derby

### **b) OTHER DECISIONS.**

1) N/A

### **5. TOWN STATUS REPORT – N/A**

### **6. DISCUSSIONS:**

**a) Traffic Safety Concern – Prospect Street Speed Limit** – Chairman Daniels said a request has come in from a resident on Prospect Street for the speed limit to be lowered. This has been before the Board and the Traffic Safety Committee many times since 2012. The history includes:

- In 2012 – Chief Viola stated that when directed patrols in that area were done over a total of 7 hours, they encountered 71 cars. Thirty nine traveled at a speed of less than 20 mph. Twenty seven traveled between 25 and 30 mph and three were over 30 mph. At that time the request to reduce the speed limit was denied and it was recommended that the speed limit stay the same.
- In June 10, 2013 – The Traffic Safety Committee reviewed a request to lower the speed to 20 mph. It was determined that 20 mph was too low because that is the speed in school zones. The Board of Selectman took that request up later that day and asked the Police Department monitor that area to see if there was a problem. The Board also put out a letter to the general public regarding the speed on Prospect Street as well as Philips Way.
- On October 12, 2013 another request came in to lower the speed limit to 20 mph and again on July 30, 2018. At that time it was decided not to send it to the Traffic Safety Committee as it was the third or fourth time it was brought forward.

Chief Viola said that from September 14, 2018 through September 24, 2018 the Milford Police completed a traffic study on Prospect Street. Officers observed the following:

- A total of 5 directed patrols were recorded in this area.
- 7 vehicles were observed traveling at 25 mph or less.
- 15 vehicles were observed traveling between 31 mph and 35 mph.
- 1 vehicle was observed traveling between 36 mph and 40 mph.

Another study was conducted from May 9, 2019 to May 13, 2019. Officers observed the following:

- A total of 5 directed patrols were recorded in this area.
- 31 vehicles were observed traveling at 25 mph or less
- 19 vehicles were observed traveling between 25 mph and 30 mph.

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- 2 vehicles were observed traveling between 31 and 35 mph.
- 1 vehicle was observed traveling between 36 mph and 40 mph.

After the construction project is complete on Prospect Street, the Milford Police will continue the study for approximately a week. It's a hard area to patrol and not one what we usually go into.

Selectman Labonte asked if we ever considered using the radar trailers on Prospect Street. You wouldn't have to tie up a cruiser and may get a different perspective. Chief Viola said they just got a new radar trailer with the data box inside to record information. There really isn't an area on Prospect Street to place a radar trailer and it's being used on Perry Road at this time. Selectman Labonte said it would still be a good idea to leave it on Prospect Street for a couple of days. Chairman Daniels said Prospect Street isn't a wide road and it's a matter of where we would put it. Selectman Labonte suggested putting it on the easement on Prospect Street, it may solve the problem. Chairman Daniels said by the reports, it doesn't sound like they are traveling at unreasonable speed. The speed limit is 30 mph. He asked a question back in 2013, if the speed was posted at 20 mph and drivers still violated the speed limit. Residents said they would come back and ask for additional Police presence, which we've been doing all along.

Selectman Labonte said a sign wouldn't tie up people and if we have the equipment we can accomplish this. Chief Viola said it's something he will look at in the future. He said one of the biggest issues through the years is that residents are saying it's mostly workers and delivery drivers coming from the Ledgewood area. We focus on that and people who live in the neighborhood. Chairman Daniels said with all the construction going on around Prospect Street, they've allowed two-way traffic on Phillips Street so the rules are slightly out of order. Chief Viola said that's why they had more vehicles in this last survey that they recently completed.

Selectman Dudziak asked if the complaints have been from multiple residents on that street. Chief Viola said the complaints have been from the same person but he has spoken to other residents and they feel cars are traveling too fast. When you are walking, cars look like they are traveling faster but when we are there we are not finding that to be so. Selectman Labonte asked if any of the ones who complained would let the Police Department put the radar sign in their yard. Chief Viola said he didn't know. They have also used motorcycle radar which people don't really see until the end, as well as unmarked vehicles; we still don't catch people speeding. Selectman Labonte repeated his suggestion of putting the sign there for a few days. Chief Viola repeated that it's something he will look at in the future. The trailer is dedicated to another location right now.

Selectman Putnam said it's been looked at five or six times and nothing's changed. He made a motion to leave everything as it is at this time. Selectman Dudziak seconded. The motion passed 3-1-1 with Selectman Labonte opposed and Selectman Dargie abstaining.

Captain Frye said once Prospect Street is paved they will go back and do another week of study with a cruiser and after school is out we can use the motorcycle. Later we can put the trailer up and record any target area. The trailer is already being reserved for several roads in town. Chairman Daniels clarified that the Police Department doesn't need the Boards approval for any of this.

Before moving on to discussions, Selectman Labonte asked if they heard anything from DRA in the last two weeks. Chairman Daniels said no. Selectman Labonte said his other concern in the future is if there are other things that are being held up at DRA and the Town Administrator is aware of them, he would like to be made aware before the meeting, not after the meeting.

**7. PUBLIC COMMENTS:** There were no public comments at this time.

### **8. SELECTMEN'S REPORTS/DISCUSSIONS.**

- a. FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.**
- b. OTHER ITEMS (that are not on the agenda).**

**9. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of April 29, 2019 as amended. Selectman Dargie seconded. All were in favor. The motion passed 5/0.

### **10. INFORMATION ITEMS REQUIRING NO DECISIONS.**

**11. NOTICES.** Chairman Daniels read the notices.

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**12. NON-PUBLIC SESSION.** Selectman Putnam made a motion to enter into non-public meeting for Approval of non-public minutes in accordance with (RSA 91-A:3,II (a)) Personnel, (RSA 91-A:3,II (c)) Reputation and (RSA 91-A:3,II (e)) Legal - April 8, 2019 and (RSA 91-A:3,II (e)) Legal – April 22, 2019 and review and unsealing of non-public minutes from August 20, 2018. Selectman Dudziak seconded. All were in favor. The motion passed by roll call vote 5/0 Chairman Daniels – yes, Selectman Dargie – yes, Selectman Putnam – yes and Selectman Dudziak – yes and Selectman Labonte – yes.

**13. ADJOURNMENT:** Selectman Putnam moved to adjourn at 6:40 . Selectman Dudziak seconded. All were in favor. The motion passed 5/0.

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Gary Daniels, Chairman

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Laura Dudziak, Member

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Paul Dargie, Vice Chairman

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Chris Labonte, Member

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Mike Putnam, Member