

2011

MINUTES OF THE

218TH MEETING OF THE

TOWN OF MILFORD

Submitted by Lorraine Carson

Date: March 10, 2011

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2011

**218th Meeting of the
Town of Milford**

February 4th 2011 – Deliberative Session

March 8th 2011 – Elective Session

Total Registered Voters: 10,925

Number of Voters at Deliberative Session: 68

Total Votes Cast: 2001

The Deliberative Session of the Annual Town Meeting opened at 9 o'clock in the forenoon in the Town Hall Auditorium.

The Moderator, Peter Basiliere, opened the meeting and advised that the inhabitants qualified to vote were called upon to act upon the Warrant in accordance with Senate Bill #2, more precisely known as New Hampshire RSA 40:13, officially known as the "Official Ballot Referendum form of Meeting". This was the fifteenth Town Meeting under this law.

The Chairman of the Board of Selectmen put a motion on the floor, seconded by the Chairman of the Budget Advisory Committee and voted unanimously in the affirmative to suspend the reading of the Warrant.

The inhabitants were called upon to transact all business other than voting, and were advised by the Moderator that on March 8 2011, the Second Session, voting by official ballot, would take place with the polls opening at 6 a.m. and closing no earlier than 8 p.m., to be held at the Milford Middle School Gymnasium, to act upon all matters of the Warrant as well as election of officers and other matters to be voted upon.

Present for the meeting were: Board of Selectmen, Tim Finan, Chairman, Gary Daniels, Vice Chairman, Michael Putnam, member, Katherine Bauer, member and Nate Carmen, Member. The Budget Advisory Committee: Chuck Morrison, Chairman, Gil Archambault, Assistant Chairman, Deanna Carter, Jolie Whitten, Paul Burkhardt, Peggy Seward, Rodney Richey, Trudy Morgan, Matt Lydon. Assistant Moderator, Joe O'Neil. Board of Water and Sewer Commissioners: Robert Courage, Chairman, Michael Putnam, member and Dale White, member. Town Clerk, Peggy Langell; Deputy Town Clerk Clare Callahan; Guy Scaife, Town Administrator; Police Chief Fred Douglas; Director of Public Works William Ruoff; Fire Chief, Frank Fraitzl; Bill Parker, Director of Community Development; Assessor, Marti Noel; Library Director, Michelle Sampson; Ambulance Director, Eric Schelberg; Finance Director, Jack Sheehy; Welfare Director, Susan Drew; Nicole Banks, Recreation Director; David Boucher, Water Utilities Assistant Superintendent; Bruce Dickerson, IT Director; Connie Kelleher, Cemeteries and Buildings General Foreman; William R. Drescher, Town Counsel.

Election officers present: Peggy Langell, Town Clerk; Clare Callahan, Deputy Town Clerk.

Audio Assistance and video taping was prepared by Michael McNerney, assisted by Justin Atwood and Eric Neilson.

The minutes were prepared by Lorraine Carson.

The invocation was delivered by Father John Keegan of St. Patrick's Catholic Church.

The assembly was lead in the Pledge of Allegiance by Janet Langdell

The Moderator advised the assembly that the Annual School District Deliberative Session will take place on February 10 2011.

The Moderator advised the assembly that the Board of Selectmen and the Budget Advisory Committee will be meeting within the next couple of days to discuss their support/lack of support on the warrant articles. The Moderator also noted that this year the ballot will include details of the support or lack of support for the ballot questions to be voted upon, as has been done in the past, but will not include numbers for or against.

The Moderator recognized and thanked Town Counsel, William Drescher, for his presence at this meeting.

The Moderator announced that the Dollars for Scholars has provided various foods and coffee for purchase, which are available in the Banquet Hall.

The Chairman of the Board of Selectmen, Tim Finan, introduced the members of that Board: Gary Daniels, Michael Putnam, Katherine Bauer and Nate Carmen. He also introduced the Town Administrator, Guy Scaife, and the preparer of the minutes, Lorraine Carson. He introduced Jack Sheehy, Director of Finance and William Drescher, Town Counsel.

The Chairman of the Budget Advisory Committee, Chuck Morrison, introduced members of that Committee: Gil Archambault, Deanna Carter, Jolie Whitten, Paul Burkhardt, Peggy Seward, Rodny Richey, Trudy Morgan and Matt Lydon. He explained that the Budget Advisory Committee is appointed by the Moderator and that all are volunteers.

The Moderator introduced the Board of Water and Sewer Commissioners: Robert Courage, Chairman, Michael Putnam and Dale White.

Tim Finan, Chairman of the Board of Selectmen, presented the Safety Awards for 2010. The award to an individual was made to Liz Craighead of the Parks and Cemeteries Department. The award for department, was presented to the Water Utilities Department. Both awards included the following wording: For Outstanding Safety Awareness and Response for Town Facilities, and Employees – Safety measures taken to protect fellow employees and yourself are principal responsibilities that are frequently taken for granted. However, with your tenacity and steadfast devotion towards maintaining and improving safety, all those around you can forge ahead rest-assured that your watchful eye and timely actions are making our work places safer. The Milford Board of Selectmen commends you for your dedication and service.

The Moderator explained to the inhabitants that this session of Town Meeting was to put the articles on the Warrant into the form of questions which would then be placed on the Ballot. This ballot would then be voted upon at the second session of this Town Meeting on March 8 2011. He added that this official ballot would include all the usual ballot issues such as voting for officers and zoning issues, together with the Warrant Articles before this session, but in the form of questions. The complete School Warrant will also be part of the official ballot to be voted on at the second session on March 8 2011.

The Moderator advised that this meeting would be conducted from the Warrant as posted and as provided at this meeting. It would be assumed that the Board of Selectmen has moved the question and that the Budget Advisory Committee has seconded it unless otherwise stated. Should the Budget Advisory Committee not support an article, then the Moderator will assume it is seconded by a member of the Board of Selectmen. After all discussion is complete he would instruct the Town Clerk to place the question pertaining to each article on the ballot.

It was moved, seconded and voted in the affirmative that the Moderator would not read each ballot question on the Warrant.

Moderator Basiliere stated he would conduct the Town Meeting following the "Moderator's Rules". These rules were provided in written form to all individuals present at this meeting. Those rules are as follows:

"New Hampshire law vests the moderator with the authority to establish rules of procedure and also vests the voters at the deliberative session with the power to overrule the moderator's rules or rulings. These Rules of Procedure are how the moderator intends to govern the meeting, in the absence of any challenges, to ensure a fair and orderly meeting.

Registered Milford voters must check in at the checklist table, where they will receive a sticker that must be worn while in the hall and a voting card. Anyone wishing to speak must wear this sticker in order to be recognized.

Non-residents will be recognized if they are town officials, administrators, or consultants working for the town. Other non-residents will be allowed to speak only after a positive vote by the meeting on a motion to allow the non-resident(s) to speak.

When a vote is called for, registered voters will vote on the motion by holding up their voting card. The moderator will only cast a vote in the event of a tie or to create a tie.

Anyone wishing to speak must do so at the microphone located in the center aisle. Please state your name and street address your first time at the microphone. For subsequent trips to the microphone, your name will be sufficient.

All questions or comments must be directed to the moderator, rather than to individual officials, committee members or audience members.

Except for presenters explaining proposed articles, speakers are subject to a three minute time limit. If the speaker asks a question, one follow-up question is allowed before stepping away from the microphone. If the speaker has additional questions about or comments on a particular issue, they may be raised only after all other speakers in line have spoken.

Discussion and voting will be taken one amendment at a time.

While a proposed amendment to a dollar amount (only) may be made orally, an amendment that changes the language of a question must be submitted in writing. Note: The language of the warrant article for the operating budget is stipulated by statute and may not be changed.

Anyone wishing to call the question must do so from the microphone. The question may not be called by a speaker immediately after speaking on an issue.

Upon an affirmative vote to call the question, anyone already in line as well as members of the Board of Selectmen and the Budget Advisory Committee who had already indicated a desire to address the topic will be permitted to speak on the issue.

The meeting may, on a vote-by-vote basis, restrict subsequent reconsideration of a vote or warrant article. Upon a vote to restrict reconsideration, the moderator will prohibit any further action on that question. The motion to restrict reconsideration does not have to be made immediately after the original vote.

An affirmative vote to restrict reconsideration may be reconsidered. If the restriction is overturned, however, by statute the actual reconsideration will take place at a recessed session of the meeting held at least seven days later (RSA 40:10).

The motion to call the question and to restrict reconsideration are not debatable. Upon a second, the moderator will ask for a vote by the meeting.

A petition for secret ballot must be submitted prior to the vote by at least five voters. The five voters must be present when the petition is submitted.

The moderator shall take a secret yes/no vote when seven or more voters present question any non-ballot vote immediately after the moderator declares the vote and before any other business is begun (RSA 40:4-b).

Five voters present may request a recount of any vote taken by secret yes/no ballot if the request is made immediately after the announcement of the result. The moderator will order a recount immediately if the secret yes/no margin is less than 10 percent (RSA 40:4-a).

The Moderator may command a police officer or legal voter to remove from the meeting and detain any person conducting himself or herself in a disorderly manner (RSA 40:9).

The Moderator's Rule(s) may be overturned by a simple majority vote."

The Moderator explained that each article can be discussed and debated and deliberated and after that one of two actions needs to be taken. The original wording of the warrant article can be maintained in which case it will appear on the Ballot as it is in the Warrant, and no vote is required because nothing was changed. The other action is to vote to amend the wording of the warrant article. If this amendment is approved the amended article is placed on the Ballot. To amend the wording, a simple majority vote is all that is required. He explained that under SB2, it is possible to eliminate all words in the article except for the words "To see". This option has now been eliminated

because of a law that was signed into effect by the Governor yesterday. RSA 44:13 now provides that no article shall be amended so as to eliminate the subject matter of the article. He explained that this still allows for an article to be amended to change the dollar amount, which can be changed to as low as zero, but the subject matter cannot be eliminated.

In response to the above, Robert Willette addressed the assembly and confirmed that an amendment can only change the wording, but cannot change the subject matter.

ARTICLE 1 – ELECTION OF OFFICERS

The results of the voting for Town Officers and School Officers is as follows:

TOWN OFFICERS:

Selectmen for Three Years:

Kevin Taylor	673
Kathy Bauer	1222*
Mike Putnam	1245*

Cemetery Trustee for Three Years:

Leonard J. Harten	1576*
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Library Trustee for Three Years:

Michael B. Tule	1241*
Sarah Philbrick Sandhage	1464*

Trustee of Trust Funds for Three Years:

Ed Killam	1507*
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Water-Wastewater Commissioner for Three Years:

Robert Courage	1618*
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SCHOOL OFFICERS:

School Board for Three Years:

Jim A. Rumson	340
Paul Dargie	1224*
Kevin Drew	855*
Carolyn Magri Halstead	798

*Deemed elected by the Moderator

ARTICLE 2 – BALLOT VOTE – ZONING CHANGES

To vote on Planning Board proposed zoning changes and amendments.

The Planning Board SUPPORTS all Amendments:

Ballot Vote No. 1

1. Are you in favor of the adoption of Amendment #1 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 1: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.02.5.C (Residence A), Section 5.03.6.C (Residence B), Section 5.04.5.C (Residence R) to reduce the minimum setback from side and rear property lines for small structures to six feet.

Amend 5.02.5.C Residence A, Yard Requirements

'Accessory Structures, one hundred-twenty (120) square feet or less shall have a minimum setback from the side and rear property lines of six (6) feet.'

Add to 5.03.6.C Residence B, Yard Requirements

'Accessory Structures, one hundred-twenty (120) square feet or less shall have a minimum setback from the side and rear property lines of six (6) feet.'

Add to 5.04.5.C Residence R, Yard Requirements

'Accessory Structures, one hundred-twenty (120) square feet or less shall have a minimum setback from the side and rear property lines of six (6) feet.'

The voting on this amendment (Ballot Vote #1) is as follows:

YES: 1248 NO: 624 PASSED

Ballot Vote No. 2

2. Are you in favor of the adoption of Amendment #2 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 2: Amend ARTICLE IV: Definitions by adding definitions for Harvesting of natural resources, Health service facilities, Hospice house, Hospital, Hotel, Nursing home or facility, and Utility, public or private; by amending the definitions of Assisted living facility, Congregate care facility and Independent senior housing units; and to delete the definition of Hotel/Motel.

Add the following definitions:

'Harvesting of natural resources: The removal of natural resources, such as timber, freshwater, and earth materials from their existing natural state on-site.

Health service facilities: A Health Service Facility shall include but not be limited to a facility providing clinically related outpatient diagnostic, treatment, or rehabilitative services, as well as preventive services, and includes, without limitation, alcohol, drug abuse, and mental health services.

Hospice house: A Hospice House shall include but not be limited to free standing 24-hour residential setting licensed under RSA 151 as a supported residential care facility for terminally ill individuals with less than one year to live who no longer have a home or cannot remain safely there. Palliative care such as room, meals, personal care, medication monitoring and emotional support, is provided. Additional health care services may be provided to residents through arrangements with outside organizations as is currently available if the resident was in his/her home.

Hospital: A Hospital shall include but not be limited to an institution licensed by the State of New Hampshire which is engaged in providing to patients, under supervision of physicians, inpatient and outpatient diagnostic and therapeutic services for medical diagnosis, treatment and care of injured, disabled, or sick persons, or rehabilitation services for the rehabilitation of such persons. The term hospital includes psychiatric and substance abuse treatment facilities.

Hotel: A facility offering transient lodging accommodations to the general public supervised by a person in charge at all hours, and which may include additional facilities and services such as restaurants, bars, meeting and function rooms, entertainment, personal services, and recreational facilities.

Nursing home or facility: A Nursing Home or Facility shall include but not be limited to a facility, licensed by the State of New Hampshire, which shall provide, for two (2) or more persons, basic domiciliary services (room, board, and laundry), continuing health supervision under competent professional medical and nursing direction, and continuous nursing care as may be individually required.

Utility, public or private: Any agency that, under public franchise or ownership, or under certificate of convenience or necessity, or by grant of authority by a government agency, provides the public with electricity, gas, heat, steam, communication, transportation, water, sewerage collection, stormwater collection, or similar service, deemed necessary for the public health, safety and welfare.'

Amend the following definitions:

'Assisted Living Facility: An Assisted Living Facility shall include but not be limited to a facility where rooms, meals, personal care and supervision of self-administered medication are provided pursuant to RSA 151:9, VII(a) and He-P 804.03 or as amended. Other services may be provided as an accessory use only, such as recreational activities, financial services, and transportation.

Congregate Care Facility: A Congregate Care Facility shall include but not be limited to a facility where communal dining facilities and services such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the residents are provided pursuant to RSA 151:9, VII(a) and He-P 814.03 or as amended.

Independent Senior Housing Units: Dwelling units for persons fifty-five (55) years of age and older.'

Delete the following definition:

'Hotel/Motel: A building or any part of a building, containing rooming units without individual cooking facilities, for transient occupancy and having a common entrance(s), including an inn, motel, motor inn and tourist court, but not including a boarding house, lodging house, or bed and breakfast.'

The voting on this amendment (Ballot Vote #2) is as follows:

YES: 1464 NO: 370 PASSED

Ballot Vote No. 3

3. Are you in favor of the adoption of Amendment #3 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 3: Amend ARTICLE VI: OVERLAY DISTRICTS, Section 6.01.1.B (Groundwater Protection District) to add a definition of Liquid Petroleum Products.

Add to 6.01.1.B Definitions

Liquid Petroleum Products – Any petroleum product that maintains a liquid state when exposed to ambient temperature and atmospheric pressure. Such as but not limited to: gasoline, diesel, home heating fuel, motor oil, etc.

The voting on this amendment (Ballot Vote #3) is as follows:

YES: 1537 NO: 302 PASSED

Ballot Vote No. 4

4. Are you in favor of the adoption of Amendment #4 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 4: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.02.2 (Residence A) Uses and Yard Requirements by Special Exception, by amending Churches or Houses of worship and adding Utility, public or private and Office.

5.02.0 RESIDENCE "A" DISTRICT

5.02.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

A. Special Exception

Amend '5.' to 'Churches or Houses of Worship; and'

Add '14. Utility, public or private'

Add '15. Office in accordance with Section 10.02.7'

The voting on this amendment (Ballot Vote #4) is as follows:

YES: 1298 NO: 514 PASSED

Ballot Vote No. 5

5. Are you in favor of the adoption of Amendment #5 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 5: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.03.2 (Residence B) Uses and Yard Requirements by Special Exception, by adding Hospice House; Nursing home or facility; Utility, public or private; and Office.

5.03.0 RESIDENCE "B" DISTRICT

5.03.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

A. Special Exception

Add '14. Hospice house'

Add '15. Nursing home or facility'

Add '16. Utility, public or private'

Add '17. Office in accordance with Section 10.02.7'

The voting on this amendment (Ballot Vote #5) is as follows:

YES: 1341 NO: 463 PASSED

Ballot Vote No. 6

6. Are you in favor of the adoption of Amendment #6 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 6: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.04.1 (Residence R) Acceptable Uses, by deleting Farms and Section 5.04.2 (Residence R) Acceptable Uses and Yard Requirements, by amending Processing of natural resources and Churches or Houses of Worship, and adding Hospice House, Nursing home or facility and Utility, public or private.

5.04.0 RESIDENCE "R" DISTRICT

5.04.1 ACCEPTABLE USES

Delete 'F. Farms'

5.04.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

A. Special Exception

Amend '9.' to 'Processing of natural resources on parcels a minimum of five (5) acres in size'

Amend '13.' to 'Churches or Houses of worship'

Add '16. Hospice House'

Add '17. Nursing home or facility'

Add '18. Utility, public or private'

The voting on this amendment (Ballot Vote #6) is as follows:

YES: 1292 NO: 508 PASSED

Ballot Vote No. 7

7. Are you in favor of the adoption of Amendment #7 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 7: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.05.1 (Commercial) Acceptable Uses, by amending Filling stations, Hospitals, Hotels, Churches or Houses of worship and Motorized vehicle sales facilities, by deleting Laundries and dry cleaning, and adding Day care facilities, Motor vehicle repair facilities, Health services facilities, Hospice House, Veterinary clinics, Nursing home or facility, Agriculture and Farming, and Utility, public or private, Section 5.05.2, Acceptable Uses and Yard Requirements by Special Exception, by deleting Day care facilities, by amending Manufacturing and adding Distribution and mailing facilities and Research and development.

5.05.0 COMMERCIAL DISTRICT

5.05.1 ACCEPTABLE USES

- Amend 'D.' to 'Filling stations'
- Amend 'G.' to 'Hospitals'
- Amend 'I.' to 'Hotels'
- Amend 'J.' to 'Churches or Houses of Worship'
- Delete 'L. Laundries and dry cleaning'
- Amend 'U.' to 'Motor vehicle sales facilities'
- Add 'Y. Day care facilities'
- Add 'Z. Motor vehicle repair facilities'
- Add 'AA. Health services facilities'
- Add 'BB. Hospice House'
- Add 'CC. Veterinary clinics'
- Add 'DD. Nursing home or facility'
- Add 'EE. Agriculture and farming'
- Add 'FF. Utility, public or private'

5.05.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

A. SPECIAL EXCEPTION

- Delete '1. Day care facilities'
- Amend '4.' to 'Manufacturing'
- Add '7. Distribution and mailing facilities'
- Add '8. Research and development'

The voting on this amendment (Ballot Vote #7) is as follows:

YES: 1325 NO: 460 PASSED

Ballot Vote No. 8

8. Are you in favor of the adoption of Amendment #8 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 8: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.06.1 (Industrial) Acceptable Uses, by amending Harvesting of natural resources and Offices, by adding Processing of natural resources, Newspapers and job printing, Agriculture and Farming, and Utility, public or private, Section 5.06.2, Acceptable Uses and Yard Requirements by Special Exception, to add Hotels.

5.06.0 INDUSTRIAL DISTRICT

5.06.1 ACCEPTABLE USES

- Amend 'A.' to 'Harvesting of natural resources'
- Amend 'C.' to 'Offices'
- Add 'I. Processing of natural resources'
- Add 'J. Newspaper and job printing'
- Add 'K. Agriculture and farming'
- Add 'L. Utility, public or private'

5.06.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

A. SPECIAL EXCEPTION

Add '4. Hotels'

The voting on this amendment (Ballot Vote #8) is as follows:

YES: 1391 NO: 428 PASSED

Ballot Vote No. 9

9. Are you in favor of the adoption of Amendment #9 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 9: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.07.1 (Limited Commercial-Business) Acceptable Uses, by deleting Hospitals and/or medical facilities licensed by the State of NH, and by adding Health services facilities, Day care facilities, Hospice house, Churches or Houses of worship, and Utility, public or private, Section 5.07.2, Acceptable Uses and Yard Requirements by Special Exception, by deleting Day care facilities.

5.07.0 LIMITED COMMERCIAL-BUSINESS DISTRICT

5.07.1 ACCEPTABLE USES

Delete 'B. Hospitals and/or medical facilities licensed by the State of NH'

Add 'B. Health services facilities'

Amend 'E.' to 'Churches or Houses of Worship'

Add 'M. Day care facilities'

Add 'N. Hospice house'

Add 'O. Utility, public or private'

5.07.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

A. Special Exception

Delete '1. Day care facilities'

The voting on this amendment (Ballot Vote #9) is as follows:

YES: 1364 NO: 443 PASSED

Ballot Vote No. 10

10. Are you in favor of the adoption of Amendment #10 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 10: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.08.1 (Integrated Commercial-Industrial) Acceptable Uses, by amending Hotels, Day care facilities, Utility, public or private, Research and development, Motor vehicle sales facilities and by adding Bed and breakfast, Churches or Houses of Worship, Processing of natural resources, Hospitals, Health services facilities, Newspaper and job printing, Veterinary clinics, Nursing home or facility and Agriculture and farming, Section 5.08.2, Acceptable Uses and Yard Requirements by Special Exception, by deleting Processing of natural resources.

5.08.0 INTEGRATED COMMERCIAL-INDUSTRIAL DISTRICT (ICI)

5.08.1 ACCEPTABLE USES

Amend 'E.' to 'Hotels'

Amend 'F.' to 'Day care facilities'

Amend 'G.' to 'Utility, public or private'

Amend 'J.' to 'Research and development'

Amend 'Q.' to 'Motor vehicle sales facilities'

Add 'T. Bed and breakfast'

Add 'U. Churches or Houses of Worship'

Add 'V. Processing of natural resources'

Add 'W. Hospitals'

Add 'X. Health services facilities'

Add 'Y. Newspaper and job printing'
Add 'Z. Veterinary clinics'
Add 'AA. Nursing home or facility'
Add 'BB. Agriculture and farming'

5.08.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

- A. Special Exception
Delete '4. Processing of natural resources'

The voting on this amendment (Ballot Vote #10) is as follows:

YES: 1367 NO: 436 PASSED

Ballot Vote No. 11

11. Are you in favor of the adoption of Amendment #11 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 1: Amend ARTICLE V: ZONING DISTRICTS AND REGULATIONS, Section 5.09.1 (Integrated Commercial-Industrial 2) Acceptable Uses, by amending Hotels, Day care facilities, Utility, public or private, and by adding Banks and financial institutions, Bed and breakfast, Churches or Houses of worship, Hospitals, Health services facilities, Processing of natural resources, Filling stations, Nursing home of facilities, Newspaper and job printing, Veterinary clinics, Hospice house and Agriculture and farming, Section 5.09.2, Acceptable Uses and Yard Requirements by Special Exception, by deleting Processing of natural resources.

5.09.0 INTEGRATED COMMERCIAL-INDUSTRIAL DISTRICT 2 (ICI-2)

5.09.1 ACCEPTABLE USES

Amend 'E.' to 'Hotels'
Amend to 'F.' to 'Day care facilities'
Amend to 'G.' to 'Utility, public or private'
Add 'R. Banks and financial institutions'
Add 'S. Bed & Breakfast'
Add 'T. Churches or Houses of Worship'
Add 'U. Hospitals'
Add 'V. Health services facilities'
Add 'W. Processing of natural resources'
Add 'X. Filling stations'
Add 'Y. Nursing home or facility'
Add 'Z. Newspaper and job printing'
Add 'AA. Veterinary clinics'
Add 'BB. Hospice house'
Add 'CC. Agriculture and farming'

5.09.2 ACCEPTABLE USES AND YARD REQUIREMENTS BY:

- A. Special Exception
Delete '2. Processing of natural resources'

The voting on this amendment (Ballot Vote #11) is as follows:

YES: 1310 NO: 441 PASSED

Ballot Vote No. 12

12. Are you in favor of the adoption of Amendment #12 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 12: Amend ARTICLE X: ADMINISTRATIVE RELIEF, Section 10.02.0 Special Exceptions, to delete Manufacturing in the Commercial District and add Office in the A and B Districts.

10.02.0 SPECIAL EXCEPTIONS

Delete 10.02.5 Manufacturing in the "C" – Commercial District

Add '10.02.7 Office in the A and B Districts

A. In all cases involving offices in the Residence A and Residence B districts, the following shall be minimum performance standards for approval by the Zoning Board of Adjustment:

1. The specific site of the proposed office use will be located in an existing building that is an appropriate location for the proposed use;
2. The use as proposed will not adversely affect adjacent areas;
3. There will be no nuisance, such as but not limited to: noise, odor, hours of operation, traffic, deliveries and lighting;
4. There will be no outside storage; and
5. The use shall require site plan approval by the Planning Board, subsequent to Zoning Board approval.'

The voting on this amendment (Ballot Vote #12) is as follows:

YES: 1247 NO: 503 PASSED

Ballot Vote No. 13

13. Are you in favor of the adoption of Amendment #13 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 13: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, to add definitions for Building fascia, Event sign, Special Event and Price Numbering Sign.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

7.06.3 DEFINITIONS

Add the following definitions:

Building fascia: The exterior linear length of a building that has frontage along a right-of-way or the exterior linear length of a building utilized for public access.

Event sign: Any sign erected for the purpose of directing the public to a special event location.

Price Numbering Sign: A numerical display specifically designed to advertise only daily pricing of products, such as but not limited to automotive fuel or heating fuels. Such signs may be either electric or non-electrical, and updated either remotely or manually. Examples are; LED, Tall digit or Scroll.

Special event: A significant public or private gathering or function with the potential to cause a large influx of traffic or population within a designated area or location for a specified duration of time. A Special Event shall only occur once per calendar year. Sporting events, graduations, religious, military and holiday celebrations, professional multi-exhibitor expositions and trade shows, community events on public or private land and other similar functions shall all be considered Special Events.

The voting on this amendment (Ballot Vote #13) is as follows:

YES: 1283 NO: 478 PASSED

Ballot Vote No. 14

14. Are you in favor of the adoption of Amendment #14 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 14: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, to amend the number of allowed wall signs to no limit, while retaining the maximum sign area requirements, to delete the 'Number per frontage row' and to add a 'Price numbering sign' row.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

7.06.7.E WALL SIGNS (FASCIA SIGN OR FAÇADE SIGN)

2. Applicability: The following table summarizes the standards regarding Wall Signs:

Delete 'Number per frontage' row

Delete '# = Only one wall sign is permitted in the residential zones, regardless of the frontage of the building.'

Add 'Price Numbering Sign' row as described in 7.067.C(3)

The voting on this amendment (Ballot Vote #14) is as follows:

YES: 1170 NO: 591 PASSED

Ballot Vote No. 15

15. Are you in favor of the adoption of Amendment #15 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 15: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, to include a 'Price numbering sign' row in the Monument sign table.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

7.06.7.G MONUMENT SIGNS (also known as Ground, Identification, Detached, Freestanding, Pole or Pylon Sign)

2. Applicability: The following table summarizes the standards regarding Monument Signs:

Add 'Price Numbering Sign' row as described in 7.067.C(3)

The voting on this amendment (Ballot Vote #15) is as follows:

YES: 1211 NO: 538 PASSED

Ballot Vote No. 16

16. Are you in favor of the adoption of Amendment #16 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 16: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, by adding Price Numbering Signs

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

7.06.7 SIGN REQUIREMENTS BY SIGN TYPE

C. CHANGING SIGNS

Amend 'C.' to 'Changing Electronic Signs'

Add '3. Price Numbering Signs (PNS) are permitted in the C, I, ICI, ICI2, LCB and OSD districts, and shall be subject to the following restrictions:

- b. A PNS may not exceed thirty (30) percent of the area of the total sign
- c. Automatic dimming must be installed and activated.

The voting on this amendment (Ballot Vote #16) is as follows:

YES: 1238 NO: 550 PASSED

Ballot Vote No. 17

17. Are you in favor of the adoption of Amendment #17 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 17: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, by amending Off Premise Signs to include tables detailing standards and deleting repeat language.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

7.06.7.H OFF PREMISE SIGNS

Add to 7.067.H Off-Premise Signs:

Short-term Temporary (STT) Off-Premise Signs:

Zoning Districts								
	C	I	ICI	LCB	A	B	R	OSD

Standards								
Permitted?	Y	Y	Y	Y	N	N	N	Y
Permit Required?	Y	Y	Y	Y				Y
ZBA SE Required?	N	N	N	N				N
Dimensions								
Number per site	2	2	2	2				2
Area per sign	16	16	16	16				16

Long-term Temporary (LTT) Off-Premise Signs:

	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
Standards								
Permitted?	N	N	N	N	Y	Y	Y	N
Permit Required?					Y	Y	Y	
ZBA SE Required?					N	N	N	
Dimensions								
Number per site					2	2	2	
Area per sign					16	16	16	

Permanent Off-Premise Signs:

	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
Standards								
ZBA Special Exception required?	N	N	N	Y	Y	Y	Y	Y
Permit Required?	Y	Y	Y	Y	Y	Y	Y	Y
Dimensions								
Number per site	2	2	2	2	2	2	2	2
Area per sign	16	16	16	16	16	16	16	16
Height, maximum	8	8	8	8	8	8	8	8

Delete '4. Regardless of the zoning district, each parcel may have no more than a total of two (2) STT or LTT off premise signs.'

Delete '6. The maximum area for either a STT or LTT off premise sign shall not exceed sixteen (16) square feet.'

Amend '8.' to 'Any person seeking to establish any permanent off-premise signs in the Residence A, B and R districts, or Oval Sub-district shall apply for and receive a special exception from the Zoning Board of Adjustment. The Milford Zoning Board of Adjustment may impose additional conditions or restrictions, as the Board deems appropriate to the public interest.'

Delete 8. 'a. No more than two (2) different permanent off premise signs shall be allowed on an individual parcel.'

Delete 8. 'b. No person, business or other entity shall be permitted more than two (2) permanent off premise signs within the Town of Milford.'

Delete 8. 'c. A permanent off premise sign shall have a maximum sign area of sixteen (16) sixteen square feet. The maximum height shall not exceed eight (8) feet from grade level to the top of the sign and its supporting structure.'

Delete 8. 'd. The Milford Zoning Board of Adjustment may impose additional conditions or restriction, as the Board deems appropriate to the public interest.'

The voting on this amendment (Ballot Vote #17) is as follows:

YES: 1310 NO: 480 PASSED

Ballot Vote No. 18

18. Are you in favor of the adoption of Amendment #18 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 18: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, by adding Event Signage.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

Add Section '7.06.7.J EVENT SIGNS

1. Definitions:

- a. **Event Sign:** Any sign erected for the purpose of directing the public to an event location.
- b. **Special Event:** A significant public or private gathering or function with the potential to cause a large influx of traffic or population within a designated area or location for a specified duration of time. A Special Event shall only occur once per calendar year. Sporting events, graduations, religious, military and holiday celebrations, professional multi-exhibitor expositions and trade shows, community events on public or private land and other similar functions shall all be considered Special Events.

2. Applicability:

- a. Event signs may be erected with a permit 24 hours prior to an event and shall be removed within 24 hours after the event.
- b. Event signs shall only be placed in right-of-way locations designated by the official 'Event Signage Location Map' adopted by the Planning Board and on file in the Community Development Office.
- c. Event signs within designated Town of Milford Rights-of Ways shall be a maximum of six (6) SF in size.
- d. A maximum of two (2) event signs are allowed at a single designated location.
- e. Event Sign locations outside of the urban compact and within the State of New Hampshire Department of Transportation (NHDOT) right-of-way require NHDOT approval.
- f. Event signs placed in locations not permitted, or deemed unsafe by a Code Enforcement Officer or Law Enforcement Officer may be removed or safely relocated without notice to the sign owner.

The voting on this amendment (Ballot Vote #18) is as follows:

YES: 1317 NO: 491 PASSED

Ballot Vote No. 19

19. Are you in favor of the adoption of Amendment #19 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 19: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.06.0 Sign Ordinance, by amending Electronic Message Centers to increase the maximum square footage.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.06.0 SIGN ORDINANCE

7.06.7.C CHANGING SIGNS

2. Electronic Message Center

Amend 'a.' to 'The changing sign (electronic) may not exceed fifty (50) percent of the area of the sign or twenty-four (24) square feet of LED matrix, whichever is smaller; and,'

7.06.7.E WALL SIGNS (FASCIA SIGN OR FAÇADE SIGN)

Amend '2.' to 'Applicability: The following table summarizes the standards regarding Wall signs:

	Zoning Districts							
	C	I	ICI	LCB	A	B	R	OSD
Standards								
Permitted?	Y	Y	Y	Y	Y	Y	Y	Y

Permit Required?	Y	Y	Y	Y	Y	Y	Y	Y
Number per frontage (corner lot has 2 sides frontage)	1	1	1	1	#	#	#	1
Design Characteristics								
Electronic message copy	Y	Y	Y	Y	N	N	N	Y
Changeable copy	Y	Y	Y	Y	N	N	Y	Y
Area per sign	*	*	*	**	*	*	*	**

The voting on this amendment (Ballot Vote #19) is as follows:

YES: 1038 NO: 782 PASSED

Ballot Vote No. 20

20. Are you in favor of the adoption of Amendment #20 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 20: Amend ARTICLE VII: SUPPLEMENTARY STANDARDS, Section 7.07.0 Senior Housing Development, by amending the definitions of Assisted living facility, Congregate Care facility and Independent senior housing units.

ARTICLE VII SUPPLEMENTARY STANDARDS

7.07.0 SENIOR HOUSING DEVELOPMENT

7.07.8 DEFINITIONS

AMEND THE FOLLOWING DEFINITIONS:

Assisted Living Facility: An Assisted Living Facility shall include but not be limited to a facility where rooms, meals, personal care and supervision of self-administered medication are provided pursuant to RSA 151:9,VII(a) and He-P 804.03 or as amended. Other services may be provided as an accessory use only, such as recreational activities, financial services, and transportation.

Congregate Care Facility: A Congregate Care Facility shall include but not be limited to a facility where communal dining facilities and services such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the residents are provided pursuant to RSA 151:9,VII(a) and He-P 814.03 or as amended.

Independent Senior Housing Units: Dwelling units for persons fifty-five (55) years of age and older.

The voting on this amendment (Ballot Vote #20) is as follows:

YES: 1497 NO: 321 PASSED

Ballot Vote No. 21

21. Are you in favor of the adoption of Amendment #21 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 21: Amend ARTICLE VI: OVERLAY DISTRICTS, Section 6.02.0 Wetlands Conservation District, to amend the amount of wetlands buffer disturbance qualifying for a special exception.

ARTICLE VI OVERLAY DISTRICTS

6.02.0 WETLANDS CONSERVATIONS DISTRICT

6.02.5 A SPECIAL EXCEPTION IS NOT REQUIRED FOR:

Amend 'A.' to 'Wetlands: Any of the following uses, the execution, construction or placement of which do not permanently and significantly alter the natural flow of ground or surface water, and that are otherwise permitted by the Zoning Ordinance.'

6.02.6 A SPECIAL EXCEPTION IS REQUIRED FOR:

Amend 'B.' to 'Buffer: A special exception from the Milford Zoning Board of Adjustment is required for any project not listed in 6.02.5 that is located within a wetland buffer and not in the right-of-way of a public road.'

The voting on this amendment (Ballot Vote #21) is as follows:

YES: 1285 NO: 486 PASSED

Ballot Vote No. 22

22. Are you in favor of the adoption of Amendment #22 as proposed by the Milford Planning Board for the Town of Milford Zoning Ordinance as follows:

AMENDMENT # 22: Amend ARTICLE VI: OVERLAY DISTRICTS, Section 6.04.0 Open Space and Conservation Zoning District, to replace this section in entirety with updated ordinance.

ARTICLE VI OVERLAY DISTRICTS

6.04.0 OPEN SPACE AND CONSERVATION ZONING DISTRICT

Replace with revised '6.04.0 Open Space and Conservation District'

'6.04.0 OPEN SPACE AND CONSERVATION DISTRICT (2011)

6.04.1 PURPOSE

The Open Space and Conservation District is intended to encourage environmentally sound planning to conserve open space, retain and protect important natural and cultural features, and provide for efficient use of land and community services to advance the goals stated in the master plan.

6.04.2 OBJECTIVES

- A. To create permanently protected open space without decreasing the allowable density of the site;
- B. To promote the preservation of and to minimize the adverse impacts on environmental resources and areas of highest ecological value, including but not limited to: streams, ponds, floodplains, wetlands, drinking water supplies, steep slopes, scenic views, open fields, farmland, forests, wildlife habitat, unfragmented blocks of undeveloped land, habitat of rare and endangered species, and historic, archaeologic, and cultural sites and features;
- C. To enhance the quality of life with the provision of space for low impact passive recreation and aesthetic enjoyment;
- D. To promote development that incorporates efficient design and siting of the transportation network and infrastructure, to reduce the use of and impact on natural resources and to minimize maintenance costs;
- E. To maintain rural character;
- F. To locate buildings and structures on those portions of the site that are the most appropriate for development, avoiding constraints such as, but not limited to: poor soil conditions, high water table, areas subject to frequent flooding and excessively steep slopes (greater than 25%).
- G. To create a contiguous network of open spaces or "greenways" by linking the common open spaces within the subdivision to open space on adjoining lands wherever possible.
- H. To reduce impacts on water resources by minimizing land disturbance, impervious surfaces and stormwater runoff.

- I. To minimize the impact of residential development on the municipality, neighboring properties, and the natural environment.

6.04.3 GENERAL REGULATIONS

- A. Any plan submitted under the Open Space and Conservation District section of Milford's Zoning Ordinance (hereinafter Open Space Preservation Design or OSPD) shall mean a development in which the provisions of this Section are met.
- B. All Open Space shall be dedicated as permanently preserved from future development.
- C. The overall dwelling unit density shall not exceed that which would be allowed in the underlying zoning district.
- D. Open Space set asides are ineligible as contributing land area in any subsequent development.
- E. Permitted uses are the same as those allowed in the underlying zoning district.

6.04.4 LOCATION AND SCOPE OF AUTHORITY

- A. The Open Space and Conservation District is an overlay district which imposes additional requirements and restrictions to those of the underlying base zoning district established under the powers granted by NH RSA 674:21. In case of conflict between the requirements of 6.04.0 and the requirements presented elsewhere in the Milford Zoning Ordinance, the provisions of 6.04.0 shall apply. (2010)
- B. All subdivisions of land into five (5) or more residential lots, or developments of five (5) or more dwelling units, must incorporate the criteria in OSPD, except as set forth below. The Planning Board will examine the subdivision proposal using the list of resources desirable for preservation (see Open Space Design 6.04.5.D.1) to ensure that the proposed open space is consistent with the criteria set forth and the purpose of the zoning district. At the discretion of the Planning Board, and if the proposed development does not meet the criteria, the development may be required to incorporate the criteria of a conventional subdivision as permitted by the underlying zoning district.
- C. Properties with subdivision proposals of four (4) or fewer residential lots or for development of four (4) or fewer dwelling units, will be examined by the Planning Board using the list of resources desirable for preservation (see Open Space Design 6.04.5.D.1). At the discretion of the Planning Board, these developments may be required to incorporate the criteria in OSPD.
- D. Developments of four (4) or fewer lots, or four (4) or fewer dwelling units, that have not been identified by the Planning Board as needing to comply with OSPD, are exempt from the OSPD requirement, provided there is no potential for further subdivision or development of any lots or dwelling units therein or of the parcel from which the four (4) or fewer lots or dwelling units have been subdivided.
- E. Residential subdivisions of land in any zoning district, where each lot is at least 5 times the size required in the underlying zoning district, shall be exempt from OSPD requirements, provided the deed and the subdivision plan for each lot(s) contains a restriction prohibiting the further subdivision of the lot(s).
- F. When a subdivision or development is proposed which includes a lot(s) which may be capable of further subdivision or development, the Planning Board may require that a conceptual, long range plan for the entire parent parcel be presented so that the Board may consider the entirety of a parcel and its impacts. This long-range plan is non-binding. Any future development of the lot or lots will be reviewed by the Planning Board with reference to this long-range plan.

6.04.5 OPEN SPACE DESIGN

- A. Every OSPD shall avoid or minimize adverse impacts on the town's natural, cultural and historic resources by incorporating permanently protected Open Space into the design.

B. Minimum Required Open Space:

1. Subdivisions in Residence A and B shall have a maximum of fifteen (15%) percent of the gross tract area placed into permanently protected open space. The amount to be included in open space shall include land deemed to serve the public's interest by the Planning Board. Features deemed in the public interest include but are not limited to: land for bike lanes, public walkways, trail connections, public transit stops, pocket parks, stormwater management, and high value natural resources such as the Souhegan River, its tributaries, wetlands and buffers.
2. Subdivisions in Residence R shall place not less than forty (40) percent of the gross tract area into permanently protected open space.

C. Of the minimum required Open Space fifty (50) percent must consist of non-wetland soils and soils with slopes less than twenty-five (25) percent. The remaining fifty (50) percent may consist of a mix of high value natural resources as listed in D.1 below and buildable land. If the OSPD is a Senior Housing Development, as defined in Section 7.07.0 of the Zoning Ordinance, the green space requirements of Section 7.07.4.E shall apply.

D. Design Standards:

1. List of Resources to Consider for Preservation:

- a. Open water, waterways, stream channels, floodplains and very poorly drained soils, including adjacent buffer areas as defined in 6.02.0 Wetland Protection District;
- b. The habitat of species listed as endangered, threatened, or of special concern by the NH Natural Heritage Inventory or by the NH Fish & Game Department's Non-game & Endangered Wildlife Program;
- c. Moderate slopes, fifteen to twenty-five (15-25) percent, and steep slopes, greater than twenty-five (25) percent, particularly those adjoining water courses and ponds.
- d. Prime (Federal designation) and Important (State designation) Agricultural Soils, as shown on the Agricultural Soils Map in the current Milford Conservation Plan;
- e. Historic sites and features;
- f. Existing or planned trails connecting the tract to other locations, including, but not limited to, the trails on the Town Wide Trails Map maintained by the Milford Conservation Commission of formal and informal trails;
- g. Other space or resources as required by the Planning Board for low-impact recreational or public interest use consistent with Section 6.04.1.

2. Design and Use considerations for preserved Open Space:

- a. The preserved open space shall include as many of the resources listed in Section 6.04.5.D.1 (Resources to Consider for Preservation) as practical;
- b. The preserved open space shall be free of all structures except historic sites, features, and structures related to permitted open space uses;
- c. Subsurface disposal systems may not be placed in the preserved open space;
- d. Water supplies may be placed in the preserved open space;
- e. Stormwater management systems may, at the discretion of the Planning Board, be placed in the preserved open space;

- f. Preserved open space shall be accessible to the lots or units within the development, and if publicly owned to the general public;
- g. Narrow open space strips (of less than fifty (50') feet) shall not be permitted unless the incorporation of the open space strips provides a logical and practical link to, or expansion of, existing or known planned adjacent preserved open space;
- h. Preserved open spaces shall be interconnected wherever possible to provide a contiguous network of open space lands within and adjoining to the development;
- i. Public access, regardless of ownership, shall be provided to trails within open space if they are linked to other publicly accessible pathway systems.

E. Protection and Ownership:

- 1. All open space shall be permanently protected by a conservation easement or by covenants and restrictions in perpetuity, approved by the Planning Board after review by the Conservation Commission. The Planning Board may require further legal review of any documents submitted, the cost of which shall be borne by the applicant. Ownership of the open space may be held by:
 - a. A homeowners association or other legal entity under New Hampshire State Statutes, or
 - b. Private ownership, protected by a conservation easement and limited to not-for-profit parks, and not-for-profit recreation areas or commercial agriculture and forestry; or
 - c. A non-profit organization, the principal purpose of which is the conservation of open space; or
 - d. The Town of Milford, through the deeding process, subject to approval of the Planning Board and Board of Selectmen, with a trust clause insuring that it be maintained as open space in perpetuity.
- 2. Open space ownership shall be at the discretion of the Board of Selectmen, in consultation with the Planning Board, Conservation Commission and other Town Boards and Departments as deemed necessary. The Planning Board will be responsible to provide a recommendation on ownership of the preserved open space to the Board of Selectmen for its consideration and acceptance.

6.04.6 DENSITY AND DIMENSIONAL STANDARDS

A. Density:

- 1. The density of the proposed development shall be equal to or less than the density allowed in the underlying zoning district;
- 2. The maximum density of a proposed development shall be established by one of the following two methods. The method used is at the discretion of the Applicant:
 - a. Conventional Plan Approach:
A preliminary plan, based on accurate topographic field survey information, shall show the number of lots or units which could be laid out in a conventional subdivision or site plan without the need to obtain variances, special exceptions, and/or waivers for lot frontage, setbacks, area, road and driveway grades, and soil types for subsurface disposal systems (if used).

The purpose of the conventional subdivision or site plan is to provide the applicant at the completion of the design review stage a maximum number of lots or dwelling units to proceed

to final design. However, if more detailed final engineering indicates the maximum number of lots/dwelling units approved at the design review stage cannot be reasonably incorporated into the final plan based on the elements noted above, the Planning Board reserves the right to reduce the allowable number of lots/units in the final design.

- b. Formula Approach: Under the formula approach, the base number of dwelling units is determined by the following formula:

$$\frac{[\text{Total Area of Parcel} - (\text{Wetlands} + \text{Steep Slopes})] \times \text{Factor}}{\text{Minimum Lot Size}} = \text{Maximum Number Dwelling Units}$$

Percentage of Parcel that is Wetlands and/or Steep Slopes* [* ≥ 25%]	Factor
0 – <10%	0.75
11 – <20%	0.70
21 – <30%	0.65
31% or more	0.60

B. Dimensional Standards:

1. Lot size, frontage, and setbacks will be project specific and are subject to the approval of the Planning Board. Individual lot size, frontage, building envelopes, and setbacks shall be tabulated on the plan. At its discretion, the Planning Board may waive Sections 6.04.6.B.2, 3, and 4 (below) relative to frontage and setback requirements.
2. The minimum lot frontage shall be fifty (50) feet.
3. The building shall be setback at least thirty (30) feet from the front property line. The building shall be at least fifteen (15) feet from the side and rear property lines.
4. Village Plan alternatives as outlined in RSA 674:21.VI shall be permitted. No increase in density will be permitted.
5. All lots and/or structures within the OSPD, built adjacent to a perimeter boundary of the development or with frontage on or adjacent to an existing public road shall conform to all building setbacks and lot frontages as required in the underlying zoning district.
6. The Planning Board may require site plans for individual lots containing slopes greater than fifteen (15) percent, soils rated as having "severe" limitations for septic systems if not on municipal sewer (as determined by the USDA), very poorly drained soils, or when the Board questions the adequacy of a proposed lot to support a dwelling unit and related structures. ‘

The voting on this amendment (Ballot Vote #22) is as follows:

YES: 1323 NO: 428 PASSED

ARTICLE 3 - FIRE/AMBULANCE FACILITY LANDS ACQUISITION & VACANT BUILDING DEMOLITION - \$540,000

Article #3 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Five Hundred and Forty Thousand (\$540,000) Dollars to purchase three (3) lots adjacent to the existing downtown fire station so as to allow for future development of a joint fire / emergency management / ambulance service facility and to authorize the Selectmen to raise this appropriation by borrowing not more than \$540,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act, (RSA 33) and, further, to authorize the Selectmen to issue and negotiate such bonds, bond anticipation notes, or notes and to determine conditions and the rate of interest thereon, such funding to be repaid from general taxation, and to authorize the Selectmen to contract for and expend any Federal or State aid that may be available for this purchase, and to authorize the Selectmen to take all other necessary action to carry out this project, said actions to include anything necessary to prepare said land so that it would be available for the future development of such facility including due diligence, site assessments, and demolition of existing structures. Five Hundred Thousand (\$500,000) Dollars of this warrant article is to purchase the three (3) lots and Forty Thousand (\$40,000) Dollars is for the demolition of two vacant buildings. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (0-9). *(The bond payment for this Article has an estimated tax impact of \$0.047 (\$4.70 on a home valued at \$100,000) commencing in 2012.)*

Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass.

Ballot Question 3 – Fire/Ambulance Facility Lands Acquisition & Vacant Building Demolition - \$540,000

Ballot Question #3 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Five Hundred and Forty Thousand (\$540,000) Dollars to purchase three (3) lots adjacent to the existing downtown fire station so as to allow for future development of a joint fire / emergency management / ambulance service facility and to authorize the Selectmen to raise this appropriation by borrowing not more than \$540,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act, (RSA 33) and, further, to authorize the Selectmen to issue and negotiate such bonds, bond anticipation notes, or notes and to determine conditions and the rate of interest thereon, such funding to be repaid from general taxation, and to authorize the Selectmen to contract for and expend any Federal or State aid that may be available for this purchase, and to authorize the Selectmen to take all other necessary action to carry out this project, said actions to include anything necessary to prepare said land so that it would be available for the future development of such facility including due diligence, site assessments, and demolition of existing structures, as more-particularly described in Article 3? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (0-9)

(Because it is not mentioned in this Article, and was not stated in discussions thereof, for purposes of clarification, the map and lot numbers per the 2010 Tax Maps for the lots under discussion are provided below:

Map 26 Lot 164: this lot was part of the original four proposed for purchase. It is now not included for purchase.

Map 26 Lot 165: this is the lot where it was discovered that it actually consisted of two lots.

Map 26 Lot 166-1: this lot has a deeded access to Nashua Street.

Map 26 Lot 167: this lot abuts Pine Street).

The Board of Selectmen moved that Ballot Question #3 along with the recommendations of the Board of Selectmen and the Budget Advisory Committee be placed on the Ballot. It was seconded.

Selectman Bauer addressed the assembly and stated that after considerable discussions of the Selectmen with all those involved in this issue, the Article received their unanimous support. She explained that the current proposal includes the purchase of three lots compared to four as proposed at last year's Town meeting, adding that Purchase and Sales Agreements with the land owners are in place guaranteeing the sales price. It was noted that the reduction of one lot would not compromise the layout and operation of the proposed facilities and there is the possibility of being able to purchase the fourth lot at a later date should this be necessary.

Ms. Bauer stated that after a review of several other locations as a home to this facility, it was deemed the proposed location will maintain the response times of both the ambulance service and the Fire Department because the

majority of calls are within about one mile of the Oval. It was noted that land purchase for a shared facility by both departments will reduce infrastructure costs and long-term operating costs. To construct two separate facilities would be the more costly of the two possibilities. Ms. Bauer explained that a shared facility did not mean a merger of these two departments. Once the ambulance service has been moved to the new facility, it would free up much needed space in the Town Hall for staffing needs.

The cost to purchase the land amounts to \$500,000 with \$40,000 being added to cover the cost of demolishing buildings that exist on two of the lots proposed for purchase.

It was explained that the proposed building would be three stories high and would include things such as showers, locker rooms, laundry facilities, decontamination area, and such like. A one and a half storey facility to be constructed would form the ambulance facility. The proposed lay out would include ample parking for both fire and ambulance personnel, which would be two separate parking areas. Exiting onto Nashua Street is currently proposed, and this would require relocation of the current flashing light at Nashua Street/School Street intersection.

Ms. Bauer explained that the Fire Department has been in their building for over 30 years and have run out of space. The Ambulance Department in the basement of the Town Hall is also out of space, and she added that a serious issue exists relative to the ambulance vehicles in that the current vehicles are aging and any new ambulances available are all larger than the current town-owned vehicles, and are too wide to fit through the current ambulance bay doors.

Selectman Bauer stressed that the location and plan as proposed is the most economical and also it keeps the current excellent response time.

Relative to the possibility of phasing the construction of the proposed facility, it was noted that were such phasing to be employed, the facility serving the ambulance department would be the first to be constructed. It was also noted that phasing would cost approximately 10% more than doing the entire project at one time.

Chairman Morrison of the Budget Advisory Committee addressed the assembly and advised that his Committee did not support this project unanimously. One of the reasons was that similar proposals for land acquisition for this facility were rejected by the voters in 2002 and 2010, and the Committee felt that new ideas need to be developed. He added that the amount of bonding required for a combined complex could result in delays that would cause the ambulance department having to wait still longer for better accommodations. He stated that the Committee felt all efforts should be directed in resolving the accommodation problems of the ambulance rather than concentrating on a combined facility for fire and ambulance at this time.

Mr. Morrison stated that the proposed concept on three lots was not among the options presented in 2009 by the Community Facilities Committee, adding that the current concept has not been reviewed by that Committee at this time. Another reason the Budget Advisory Committee was against the current proposal, he stated, was that no details or information on a West End Fire Substation had been addressed in the current proposal. The Budget Advisory Committee also favored the purchasing of all four lots because it would give the most possibilities for building location and land utilization for a combined facility which should be able to serve the town well into the future.

Chairman of the Selectmen, Tim Finan, addressed the assembly and stated that last year essentially the same facility was proposed on four lots. This went before the 2010 town meeting and the final vote was 993 for and 1002 against, which meant that the majority vote lost by 5 votes. He stated that at that time the voters felt the proposal was too expensive and also questioned what the plan was should the needed land not end up acquired by the Town. He explained that after that the Selectmen reconsidered the entire issue, and eliminated one lot, thus saving money. The fourth lot now not proposed for purchase, is a property tax paying lot. This resulted in a reduction of cost, and in addition, relative to land acquisition, the Town proceeded to obtain Purchase and Sales Agreements with the owners of the other three lots. This eliminates the uncertainty of land acquisition, he stated.

Chairman Finan addressed the issue raised by the Budget Advisory Committee that the costs saved by the combining of the Fire Station and Ambulance facility would be outweighed should the project be phased, and asked the Budget Advisory Committee to provide details of how it arrived at this statement.

Rodny Richey of the Budget Advisory Committee responded by stating that he understood it was Selectman Kathy Bauer who had raised the issue of the 10% cost difference. Mr. Finan responded by stating that this is the number - that it would cost 10% more to phase it but the Board of Selectmen was indicating that those savings would evaporate if the project was accomplished in two years instead of one year. He stressed that the Board was not suggesting the project be phased, though this may develop within the next year. It is an option, he stated, but was not proposed by the Board. He stressed that ten percent was indeed the estimated cost increase were the project to be phased.

facility including costs of engineering and design of such a contemplated facility. This is a Special Article in accordance with RSA 32. This Warrant Article is contingent on the successful passage of Article 3 - Fire/Ambulance Facility Lands Acquisition & Vacant Building Demolition. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (1-8). (Member Seward supports.) *(The bond payment of this Article has an estimated tax impact of \$0.022 (\$2.20 on a home valued at \$100,000) commencing in 2012.)*

Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass.

Ballot Question 4 - Fire/Ambulance Facility Architectural & Engineering Plans - \$250,000

Ballot Question #4 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Two Hundred and Fifty Thousand (\$250,000) Dollars to develop architectural and engineering plans for the future development of a joint fire / emergency management / ambulance service facility and to authorize the Selectmen to raise this appropriation by borrowing not more than \$250,000 in bonds, bond anticipation notes, or notes therefore in accordance with the Municipal Finance Act, (RSA 33) and, further, to authorize the Selectmen to issue and negotiate such bonds, bond anticipation notes, or notes and to determine conditions and the rate of interest thereon, such funding to be repaid from general taxation, and to authorize the Selectmen to contract for and expend any Federal or State aid that may be available for this purchase, and to authorize the Selectmen to take all other necessary action to carry out this project, said actions to include anything necessary to prepare said land so that it would be available for the future development of such facility including costs of engineering and design of such a contemplated facility? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (1-8).

Tim Finan, Chairman of the Board of Selectmen, moved that the proposed Ballot Question from Article 4 as printed in the Deliberative Session information packet along with the recommendations of the Board of Selectmen and the Budget Advisory Committee be placed on the Ballot. It was seconded.

Selectman Katherine Bauer addressed the assembly and stated this article covers the architectural and engineering plans for the proposed facility, for a total cost of \$250,000. She stated these plans are absolutely necessary right down to the most minute detail, which will include special requirements for emergency buildings, and so forth. She noted that this article is contingent upon passage of the land article above. She noted that this will be a bond payment if the article passes, and the first payment would be due in 2012.

Chuck Morrison, Chairman of the Budget Advisory Committee addressed the assembly and stated he would speak to the majority position which does not support this article. He stated there had been concern that previous capital projects had had engineering costs etc. included in the initial cost for construction. He added there had been no public input or discussion regarding the results expected from this \$250,000 expenditure. Also the plans may languish until they are out of date because no time frame has been developed.

Selectman Bauer added that the \$250,000 estimate would go out to bid, and could therefore be more or less. Selectman Tim Finan addressed the assembly and stated that the engineering etc. costs are in a separate article because of the discussion Article #3 would generate, and it is vital the land be purchased first, and then the further plans be developed. This would include where the exits will be and such like, he stated, and all this can be discussed at future public meetings. At that point, Mr. Finan stated, it can be established if the project can be phased or if that would be too expensive. He explained that if the engineering costs had been included in the land article, it would have been necessary to know ahead of time just what building would be constructed. By offering the engineering costs as a separate article, he stated, it allows more time to consider the type of building, obtain public input, establish a Building Committee etc.

Peg Seward, Budget Advisory Committee, addressed the assembly and stated she wished to propose an amendment, in that this article is NOT contingent upon the passage of Article #3. She explained she wished to eliminate the statement: "This Warrant Article is contingent upon the successful passage of Article 3 - Fire/Ambulance Facility Lands Acquisition and Vacant Building Demolition". The motion was seconded. Speaking to her proposed amendment Ms. Seward stated even if the land purchase article failed, if the engineering fund article passed, it would provide funds to review the site, review the traffic flow, look at access to the site for the volunteers and how

they are going to get into this parking area, look at if indeed this is the appropriate location for the facility, and such like.

Speaking on the proposed amendment, Selectman Bauer addressed the assembly and stated that all of the issues suggested by Ms. Seward have already been done thoroughly by the Facilities Committee and the Selectmen. She stated that the entire case has been studied over and over and felt it was time to move forward.

After considerable further discussion, the question was called and seconded. By a show of green cards, the Moderator stated the question had been called.

He returned to the amendment as proposed and asked for a show of green cards. He stated the amendment failed.

Town Counsel addressed the assembly, and stated the Ballot Question does not contain the same language as in Article 4 relative to the contingency, and it should appear in the record of this meeting, that it would be included in the Ballot Question.

The Moderator stated that it is clearly the intent to include the language about the Warrant Article being contingent upon the successful passage of Article 3, and he therefore directed the Town Clerk to place Warrant Article 4 on the Ballot with the statement that it is contingent upon the successful passage of Article 3.

The results of the official ballot voting at the Elective Session on Article #4 is as follows:

YES: 810 NO: 1109

Article #4 was voted in the negative.

ARTICLE 5 - WATER UTILITIES DEPARTMENT - SANITARY SEWER SYSTEM REHABILITATION - \$270,000

Article #5 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Two Hundred Seventy Thousand (\$270,000) Dollars to rehabilitate approximately 5,500 feet of sanitary sewer system using a cured-in-place pipe (CIPP) process involving seven streets in Milford, and to authorize the Water and Sewer Commissioners to raise this appropriation by borrowing not more than Two Hundred Seventy Thousand (\$270,000) Dollars, under the Municipal Finance Act, RSA 33, and to issue bonds, bond anticipation notes or notes therefore, and to determine the rate of interest thereon, to be repaid from the wastewater users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto. The Board of Selectmen supports this Article (4-0). The Water and Sewer Commissioners support this Article (3-0). The Budget Advisory Committee supports this Article (8-0-1). (Member Burkhardt abstained.) This is a special Warrant Article in accordance with RSA 32.

Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass. This appropriation will be offset by revenues from wastewater user fees.

Ballot Question #5 as presented at the Deliberative Session is as follows:

Ballot Question 5 - Water Utilities Department - Sanitary Sewer System Rehabilitation - \$270,000

Shall the Town vote to raise and appropriate the sum of Two Hundred Seventy Thousand (\$270,000) Dollars to rehabilitate approximately 5,500 feet of sanitary sewer system using a cured-in-place pipe (CIPP) process involving seven streets in Milford, and to authorize the Water and Sewer Commissioners to raise this appropriation by borrowing not more than Two Hundred Seventy Thousand (\$270,000) Dollars, under the Municipal Finance Act, RSA 33, and to issue bonds, bond anticipation notes or notes therefore, and to determine the rate of interest thereon, to be repaid from the wastewater users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto? The Board of Selectmen supports this Article (4-0). The Water and Sewer Commissioners support this Article (3-0). The Budget Advisory Committee supports this Article (8-0-1).

It was moved by the Board of Selectmen and seconded to place the proposed Ballot Question for Warrant Article #5 on the Ballot as written.

Robert Courage, Chairman of the Board of Water and Sewer Commissioners, addressed the assembly and stated he would like to offer an amendment to this Article as follows: where the Article states "and to authorize the Water and Sewer Commissions...." should be removed and replaced with "Board of Selectmen"; and further down in the Article where it states "... and to authorize the Water and Sewer Commissioners..." to add "and/or the Board of Selectmen....".

Mr. Courage stated this article involves the rehabilitation of about 5,500 feet of sanitary sewer system using a cured-in-place pipe process and involves seven streets in Milford. He stated these mains are over 100 years old and are causing considerable problems with water infiltration coming into the system which adds to the cost of the treatment process at the Wastewater Treatment Plant. There is also considerable root intrusion and fractured piping. The proposed relining will restore the integrity of the piping and improve the flow and is much less expensive than replacing these lines with new pipe. He explained that the repair process is a new style of repair and has been done very successfully in other parts of the country. He requested the Board approve this, so that the upgrading can be performed.

Gil Archambault of the Budget Advisory Committee stated the article was supported by his Committee.

Robert Willette addressed the assembly and questioned how this project was to be paid, to which Robert Courage responded that the bond payments would be made from the Sewer Users Fund.

Town Counsel addressed the assembly on this matter and explained that this article, as well as Article 6 to follow, is written the way it is because water and sewer revenues pay for water and sewer expenses. This article, and Article 6, is a borrowing one, and the law does not permit the Water and Sewer Commissioners to borrow money. This can only be done by the Board of Selectmen. Therefore any borrowing has to be done on the credit of the entire community, he stated.

There being no further questions, the Moderator called for a vote on the amendment. The amendment passed.

The Moderator instructed the Town Clerk to place Warrant Article 5 on the ballot as amended in accordance with State statutes.

AMENDED WARRANT ARTICLE 5 will therefore read:

To see if the Town will vote to raise and appropriate the sum of Two Hundred Seventy Thousand (\$270,000) Dollars to rehabilitate approximately 5,500 feet of sanitary sewer system using a cured-in-place pipe (CIPP) process involving seven street in Milford, and to authorize the Board of Selectmen to raise this appropriation by borrowing not more than Two Hundred Seventy Thousand (\$270,000) Dollars, under the Municipal Finance Act, RSA 33, and to issue bonds, bond anticipation notes or notes therefore, and to determine the rate of interest thereon, to be repaid from the wastewater users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners and/or the Board of Selectmen to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto.

AMENDED BALLOT QUESTION 5 will therefore read:

Shall the Town vote to raise and appropriate the sum of Two Hundred Seventy Thousand (\$270,000) Dollars to rehabilitate 5,500 feet of sanitary sewer system using a cured-in-place pipe (CIPP) process involving seven streets in Milford and to authorize the Board of Selectmen to raise this appropriation by borrowing not more than Two Hundred Seventy Thousand (\$270,000) Dollars, under the Municipal Finance Act, RSA 33, and to issue bonds, bond anticipation notes or notes therefore, and to determine the rate of interest thereon, to be repaid from the wastewater users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners and/or the Board of Selectmen to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto?

The results of the official ballot voting at the Elective Session on Article 5 as amended is as follows:

YES: 1401 NO: 499

Article 5 as amended was voted in the affirmative.

ARTICLE 6 - UNION STREET WATER MAIN REPLACEMENT PROJECT - \$246,000

Article #6 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Two Hundred Forty-six Thousand Dollars (\$246,000) to replace 900 feet of 6 inch water main pipe with 12 inch pipe, beginning at a point about 75 feet North of the intersection of Orange and Union Street terminating at a point approximately 50 feet South of the Union Street railroad crossing, and to authorize the Water and Sewer Commissioners to raise this appropriation by borrowing not more than Two Hundred Forty-Six Thousand Dollars (\$246,000) in accordance with the Municipal Finance Act, RSA 33, and to be repaid from water users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto. The Board of Selectmen supports this Article (4-0). The Water and Sewer Commissioners support this Article (3-0). The Budget Advisory Committee supports this Article (9-0). This is a special Warrant Article in accordance with RSA 32.

Note: As this is for issuance of long-term debt, this vote requires, under State law, sixty (60%) percent affirmative vote to pass. This appropriation will be offset by revenues from water user fees.

Ballot Question 6 - Union Street Water Main Replacement Project - \$246,000

Ballot Question #6 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Two Hundred Forty-six Thousand Dollars (\$246,000) to replace 900 feet of 6 inch water main pipe with 12 inch pipe, beginning at a point about 75 feet North of the intersection of Orange and Union Street terminating at a point approximately 50 feet South of the Union Street railroad crossing, and to authorize the Water and Sewer Commissioners to raise this appropriation by borrowing not more than Two Hundred Forty-Six Thousand Dollars (\$246,000) in accordance with the Municipal Finance Act, RSA 33, and to be repaid from water users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto? The Board of Selectmen supports this Article (4-0). The Water and Sewer Commissioners support this Article (3-0). The Budget Advisory Committee supports this Article (9-0).

It was moved by the Board of Selectmen and seconded to place the proposed Ballot Question for Warrant Article 6 on the Ballot as written.

Robert Courage, Chairman of the Water and Sewer Commissioners, addressed the assembly and stated this article requires the same amendment as Article 5 above.

He explained that this article is a water distribution system improvement, and is part of the phased project that has been in existence for several years. He stated that when the Holland Water Storage tank was constructed, the water piping was increased from 6 inch to 12 inch piping. However not all of the piping was replaced at that time, the one remaining section being a short section on Union Street, and this 900 foot section of 6 inch pipe when replaced will improve the distribution system.

Gil Archambault of the Budget Advisory Committee, addressed the assembly and stated this article is supported by his Committee.

There being no further discussion, the Moderator called for a vote on the proposed amendment. The amendment was voted in the affirmative.

AMENDED WARRANT ARTICLE 6 will therefore read:

To see if the Town will vote to raise and appropriate the sum of Two Hundred Forty-six Thousand Dollars (\$246,000) to replace 900 feet of 6 inch water main pipe with 12 inch pipe, beginning at a point about 75 feet north of the intersection of Orange and Union Streets terminating at a point approximately 50 feet south of the Union Street railroad crossing, and to authorize the Board of Selectmen to raise this appropriation by borrowing not more than Two Hundred Forty-six Thousand Dollars (\$246,000) in accordance with the Municipal Finance Act, RSA 33, and to be repaid from water users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners and/or the Board of Selectmen to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto.

AMENDED BALLOT QUESTION 6 will therefore read:

Shall the Town vote to raise and appropriate the sum of Two Hundred Forty-six Thousand Dollars (\$246,000) to replace 900 feet of 6 inch water main pipe with 12 inch pipe, beginning at a point about 75 feet north of the intersection of Orange and Union Streets terminating at a point approximately 50 feet south of the Union Street railroad crossing, and to authorize the Board of Selectmen to raise and appropriate by borrowing not more than Two Hundred Forty-six Thousand Dollars (\$246,000) in accordance with the Municipal Finance Act, RSA 33, and to be repaid from water users provided that such bonds or notes shall be the general obligation of the Town and to authorize the Water and Sewer Commissioners and/or the Board of Selectmen to contract for and expend any Federal or State aid that may be available for this project, or take any other action relative thereto?

There being no further discussion, the Moderator instructed the Town Clerk to place Article 6 on the Ballot as amended.

The results of the official ballot voting at the Elective Session on Article #6 as amended is as follows:

YES: 1379 NO: 528

Article 6 as amended was voted in the affirmative.

ARTICLE 7 - OPERATING BUDGET - \$11,708,252

Article #7 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate, as an operating budget not including appropriations by Special Warrant Articles and other appropriations voted separately, the amounts set forth on the budget in an amount totaling Eleven Million, Seven Hundred Eight Thousand, Two Hundred Fifty-two (\$11,708,252) Dollars. Should this Article be defeated, the operating budget shall be Eleven Million, Five Hundred Sixty Thousand, Two Hundred Seventy-four (\$11,560,274) Dollars which is the same as last year, with certain adjustments required by previous actions of the Town, or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (1-8). (Member Morgan supports.) *This Article has an estimated tax impact of \$4.403 (\$440.30 on a home valued at \$100,000).*

Note: The proposed Operating Budget reflects an increase of 2.3% to the 2010 Operating Budget, or an increase of \$258,348.

Ballot Question 7 - Operating Budget - \$11,708,252

Ballot Question #7 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate, as an operating budget not including appropriations by Special Warrant Articles and other appropriations voted separately, the amounts set forth on the budget in an amount totaling Eleven Million, Seven Hundred Eight Thousand, Two Hundred Fifty-two (\$11,708,252) Dollars? Should this Article be defeated, the operating budget shall be Eleven Million, Five Hundred Sixty Thousand, Two Hundred Seventy-four (\$11,560,274) Dollars which is the same as last year, with certain adjustments required by

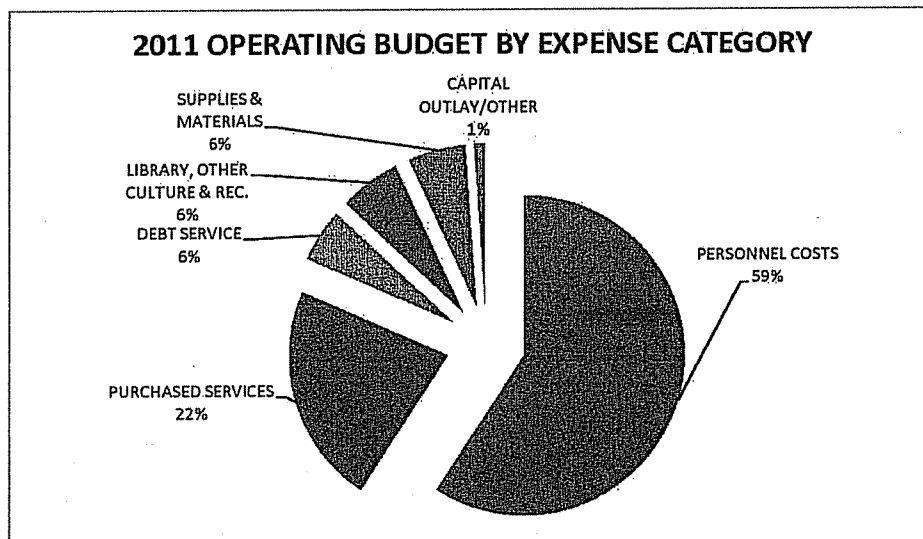
previous actions of the Town, or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (1-8).

2011 PROPOSED BUDGET BY DEPARTMENT

PURPOSE OF APPROPRIATION	2010	2010	2011	CHANGE \$	CHANGE %
	ACTUAL (Note 2) AS OF 01/13/2011 (unaudited)	ADOPTED BUDGET	PROPOSED BUDGET		
Executive - Administration	\$ 281,763	\$ 299,997	\$ 301,282	\$ 1,285	0.4%
District Court	\$ 26,158	\$ -	\$ 21,800	21,800	100.0%
Elections, Registrations & Vital Statistics	\$ 124,289	125,162	\$ 122,612	(2,550)	-2.0%
Assessing	\$ 160,321	193,850	\$ 191,450	(2,400)	-1.2%
Finance & Tax Administration	\$ 258,801	255,418	\$ 267,497	12,079	4.7%
Information Systems	\$ 333,996	326,253	\$ 341,133	14,880	4.6%
Legal	\$ 49,422	50,500	\$ 42,495	(8,005)	-15.9%
Employee Benefits (Note 1)	\$ 1,946,455	1,976,725	\$ 2,139,446	162,721	8.2%
Community Development	\$ 356,253	356,243	\$ 367,413	11,170	3.1%
Insurance	\$ 106,915	113,000	\$ 113,000	-	0.0%
Community Media	\$ 66,753	67,035	\$ 15,750	(51,285)	-76.5%
Police	\$ 1,967,620	2,056,943	\$ 2,013,611	(43,332)	-2.1%
Ambulance	\$ 508,635	497,323	\$ 540,152	42,829	8.6%
Fire & Emergency Management	\$ 490,881	494,901	\$ 524,306	29,405	5.9%
Other Public Safety (M&CC Base & Hydrant Rental)	\$ 541,141	541,001	\$ 560,291	19,290	3.6%
Department of Public Works	\$ 2,065,500	2,146,416	\$ 2,186,596	40,180	1.9%
General Government Buildings	\$ 184,057	202,334	\$ 199,862	(2,472)	-1.2%
Cemeteries	\$ 117,620	114,589	\$ 122,544	7,955	6.9%
Welfare Admin. & Direct Assistance	\$ 176,468	137,503	\$ 170,659	33,156	24.1%
Other Health & Welfare (Host Homes & Mediation)	\$ 10,500	10,500	\$ 10,500	-	0.0%
Recreation	\$ 113,920	111,381	\$ 115,068	3,687	3.3%
Library	\$ 654,162	654,162	\$ 688,304	34,142	5.2%
Other Culture & Recreation (Historical Society)	\$ 3,000	3,000	\$ 3,000	-	0.0%
Conservation	\$ 21,646	21,646	\$ 21,935	289	1.3%
Debt Service	\$ 694,019	694,022	\$ 627,546	(66,476)	-9.6%
TOTAL OPERATING BUDGET	\$ 11,260,295	\$ 11,449,904	\$ 11,708,252	\$ 258,348	2.3%

Note 1: All employee benefit costs are accounted for in this department and are not allocated to corresponding departments.

Note 2: 2010 actual numbers are not finalized and are reported as of 01/13/2011. Audit adjustments are still outstanding.



The Board of Selectmen moved, and it was seconded, that proposed Ballot Question for Warrant Article 7, be placed on the Ballot as written.

Chairman Finan addressed the assembly and stated the Operating Budget for 2011 is \$11,708,252, which represents an increase of 2.3% over 2010. He stated that considerable time and effort was put into developing this Budget, and as has been the case over the past few years, the increase remains low. He noted that the salary increase is 2%, whereas last year that increase was zero. This increase is a merit increase.

Guy Scaife, Town Administrator, addressed the assembly and stated most costs pertaining to running the Town, have increased by about 5%. He stated there has been considerable increase in activity at the Library, including increased hours of operation; there has also been an increase in activities organized by the Recreation Department. He stated that the Budget includes what is hoped will be temporary funding to help maintain the Milford District Court in the Town of Milford, which, were it to be removed, would greatly increase Police Department costs. The State, he noted, is now considering supporting the District Court in Milford, and may also refund what Milford has paid to date in its efforts to keep the Court where it is. He noted that if Milford does have to expend the appropriation for the Court for this year, there is a possibility that those funds will be returned by the State. Reviewing the larger items in the Budget over which the town has no control, Mr. Scaife noted that the Health Insurance has increased by 11% for 2011. The cost of electricity and fuel costs has increased considerably; Welfare costs have also considerably increased with expenditures for 2010 going well over the amount budgeted, hence this year additional funds have been set aside for this line item.

The Budget also includes the replacement of three police cruisers, which amounts to considerable funds being in the Budget. He noted that for several years, Milford has supported a replacement plan for police cruisers which is meant to ensure reliable cruisers are on the roads at all times, and also to reduce excessive maintenance costs. It was noted that there have been no new hires for 2011. Guy Scaife advised the assembly that one of the reasons why the Budget has not experienced large increases was due to the cooperation of the employees, who have had reduced fringe benefits over the past few years.

Rodny Richey of the Budget Advisory Committee addressed the assembly and stated the Budget Advisory Committee does not support the Budget as proposed. Mr. Richey stated the Town is spending more than it is bringing in, and any further use of reserves would not be prudent. He reviewed the opinion of the majority of the Budget Advisory Committee which was against the Budget as proposed, which included a weakness in the financial situation, the fund balance (reserves) has been reduced by over one million dollars in four years; the proposed Budget withdraws another \$100K from the reserves; the reserves are just at the minimum recommended (5%); the reserves are now primarily receivables with very little cash; revenue received was below estimates for the past three years; taxes increased in December 2010 to make up for the revenue shortfall; the proposed Budget assumes increase in State revenue sharing. The Budget Advisory Committee's majority opinion against the proposed Budget included a Tax Anticipation Note being in the Budget, and it was noted by Mr. Richey that this is the first time in memory that borrowing was needed to manage the Town's cash flow. He stated his Committee has specific concerns in the areas of funding for the Milford District Court, a third police cruise being included in the Budget, and the average wage increase over the past 5 years which amounts to 2.3%. He noted that some area residents have had no increase at all in that same period of time.

It was noted that the minority opinion of the Budget Advisory Committee is that the proposed Budget is a better option than a default budget. It was noted the default budget, according to Mr. Richey was \$11,560,274.00.

Chairman of the Board of Selectmen, Tim Finan addressed the assembly and stated that the opinion of the Budget Advisory Committee relative to a weakness in the Town's finances, is not true. He stated that the Town's bond rating is the second highest rating any town can have.

After lengthy further discussion, and there being no further discussion, the Moderator instructed the Town Clerk to place Warrant Article 7 on the Ballot as originally worded.

The results of the official ballot voting at the Elective Session on Article #7 is as follows:

YES: 868 NO: 1043

Article 7 was vote in the negative.

It was moved by the Board of Selectmen and seconded and so voted to restrict reconsideration on Articles #3 through #7.

At this time in the proceedings, approximately midday, the Moderator called for a 30 minutes recess of the meeting.

At approximately 12.30p.m., the Moderator reconvened the recessed meeting.

Janet Langdell put a motion on the floor and it was seconded and voted in the affirmative to change the order of addressing articles, and to consider Articles 20, 21 and 22 next. She noted that there were individuals from out of town who may need to provide details on these articles, and with the deteriorating weather conditions, it would be prudent to address these articles now, to allow those individuals to return home as soon as possible.

See Pages 47 to 52 for discussion and decision on Articles 20, 21 and 22.

After discussion of the above three articles, the Assembly returned to the numerical order of articles for discussion.

The full numerical order of articles is retained in these minutes to benefit locating any particular article.

ARTICLE 8 - WASTEWATER TREATMENT OPERATING BUDGET - \$1,735,642

Article #8 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of One Million, Seven Hundred Thirty-five Thousand, Six Hundred Forty-two (\$1,735,642) Dollars to operate and maintain the Wastewater Treatment Facility and the Sanitary Sewer Collection System, said appropriation to be offset by income received from wastewater user charges, or take any other action relative thereto. This is a Special Warrant Article in accordance with RSA 32 and is paid for by the wastewater user fees. The Water & Sewer Commissioners support this Article (3-0). The Budget Advisory Committee does not support this Article (2-7). (Members Carter and Morgan support.)

Note: The proposed Wastewater Treatment Operating Budget reflects an increase of 2.57% to the 2010 Operating Budget, or an increase of \$43,430.00

Ballot Question 8 - Wastewater Treatment Operating Budget - \$1,735,642

Ballot Question #8 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of One Million, Seven Hundred Thirty-five Thousand, Six Hundred Forty-two (\$1,735,642) Dollars to operate and maintain the Wastewater Treatment Facility and the Sanitary Sewer Collection System, said appropriation to be offset by income received from wastewater user charges, or take any other action relative thereto? The Water & Sewer Commissioners support this Article (3-0). The Budget Advisory Committee does not support this Article (2-7).

It was moved by the Board of Selectmen and seconded, to place Warrant Article 8 on the Ballot as printed.

Robert Courage, Chairman of the Water and Sewer Commissioners, addressed the assembly and stated that the budget as presented represents a 2.5% increase over 2010. This increase is due to industrial pre-treatment expansion which is a mandated program by the EPA. This program monitors the commercial and industrial waste entering the system. The EPA's rules are becoming more stringent and this means the Town needs to hire a consultant to assist it in abiding by the new regulations. In addition, the increase is the result of having to purchase concrete ceilings for the entire structure at the Wastewater Treatment facility. He explained the current plant is 30 years old and the ceilings are beginning to show considerable wear and this needs fixing. The last issue having an impact on the increased Budget is the Town's wage package which the Selectmen have supported, Mr. Courage stated.

Rodny Richey of the Budget Advisory Committee addressed the assembly and stated the Committee does not support this article by a vote of 2 to 7, noting the Water Utilities Budget is not subject to voter approval; the Committee is concerned there is no check and balance system upon this budget since voter action has no impact, and thirdly, the Committee is concerned that the Water and Sewer Commissioners can present a \$3M budget without a default option. Mr. Richey stated that to be consistent, the Committee, seeing that the wage increase in this Budget is the same as in the Town Operating Budget, has objection to the wage situation in this Budget.

The two members of the Commission supporting this article expressed the opinion the budget is paid for by user fees and after careful review appears to be in order.

Robert Courage addressed the assembly and stated that the Water and Sewer Commission operates under NH RSA 38 and NH RSA 149-I. He stated these RSA's specifically include what the operation of the Commission is and the responsibility as to construction, management and overseeing the entire operation of both the water and sewer departments. Their budget is separate from the Selectmen's budget, and is not included in the Budget for the operation of the Town. The Commission does not have a default budget which he stated seems to be a concern of the Budget Advisory Committee. The Commission holds meetings twice a month, which are posted public meetings and to date, he stated, there have been no members of the Budget Advisory Committee attending any of these meetings. He noted that the superintendent and the Commission prepare the budgets and are in close contact with the operation of both the water and sewer departments. The Commission is of the opinion it is operating as prudently as possible with minimal budget increases over the past few years. He requested Town Counsel to explain further the reasons and maybe answer some of the questions of the Budget Advisory Committee.

Town Counsel William Drescher, addressed the assembly and stated he would request the Budget Advisory Committee to reconsider their recommendation on this article and on the next article. One issued he talked about was that there are elements in the budget numbers presented by the Water and Sewer Commissioners that appear in the opinion of the Budget Committee to be out of line with similar processes in the Town's operating budget. He stated this was one of the reasons why the Budget Advisory Committee felt it could not support the article. He stated the Committee was against the 2% wage increase in the Operating Budget, and therefore felt they had to be against the budget as proposed in Article 8. Town Counsel felt the second reason for the Committee to be against this Article seemed more obscure in that it did not approve of the manner in which this budget was presented to the Committee and to the voters. Town Counsel explained that the method of handling the budget for the water and sewer evolved in an unusual manner. He stated that years ago the water and sewer budgets never got to the voters because they were separate departments at that time. The money for these budgets was not tax money, but user fees instead. Once a town has established a water and sewer commission, it is obligated by law to operate. They operate under license from the State and from the Federal Government, and they have obligations to surrounding communities. For years, the State law stated that these departments had to figure out a budget, raise the monies through user fees but, he added, there is oversight by the users in that they are free to review the budget, and they have the ability to vote the Water and Sewer Commissioners out of office.

Town Counsel explained that if this article goes to voting without the support of the Budget Advisory Committee the voters may be influenced to vote against it, which would mean there would no funding for this budget at all for 2011, because there are no funds appropriated by the legislative body. These are two major infrastructure systems that the town is legally obligated to maintain.

In summary Town Counsel urged the Budget Advisory Committee to support these two budgets.

Selectman Carmen stated that the 2% wage increase amounts to about \$12,000 in this budget, and he questioned what portion of this amount the Town is contractually obligated to because of the Union contracts. Robert Courage responded to this by stating the pay increases include the Union contract obligation, and is about \$3600 in the Sewer Budget and \$1400 in the Water Budget. He added that there was a salary position change in the Wastewater Plant. He noted that the 2% was the increase in the wage line item but it did not specify that each employee would receive a full 2% pay increase. Just how much increase each employee receives will be decided at a later date, he explained.

There being no further questions or discussions the Moderator instructed the Town Clerk to place Article 8 on the Ballot as quoted above.

The results of the official ballot voting at the Elective Session on Article 8 is as follows:

YES: 1406 NO: 501

Article 8 was voted in the affirmative.

ARTICLE 9 - WATER DEPARTMENT OPERATING BUDGET- \$1,381,757

Article #9 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of One Million, Three Hundred Eighty-one Thousand, Seven Hundred Fifty-seven (\$1,381,757) Dollars to operate and maintain the Water Department, said appropriation to be offset by income received from the water user charges, or take any other action relative thereto. This is a Special Warrant Article in accordance with RSA 32 and is paid for by the water user fees. The Water & Sewer Commissioners support this Article (3-0). The Budget Advisory Committee does not support this Article (2-7). (Members Carter and Morgan support.)

Note: The proposed Water Department Operating Budget reflects an increase of 1.49% to the 2010 Operating Budget, or an increase of \$20,291.00.

Ballot Question 9 - Water Department Operating Budget- \$1,381,757

Ballot Question #9 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of One Million, Three Hundred Eighty-one Thousand, Seven Hundred Fifty-seven (\$1,381,757) Dollars to operate and maintain the Water Department, said appropriation to be offset by income received from the water user charges, or take any other action relative thereto? The Water & Sewer Commissioners support this Article (3-0). The Budget Advisory Committee does not support this Article (2-7).

Tim Finan, chairman of the Board of Selectmen, moved to place the proposed Ballot Question for Warrant Article 9 as printed, along with the recommendations of the Selectmen and the Budget Advisory Committee on the ballot. It was seconded.

Rodny Richey of the Budget Advisory Committee stated this was not unanimously supported by the Budget Advisory Committee for reasons similar to those stated above for Article 8.

Robert Courage, Chairman of the Water and Sewer Commissioners addressed the assembly and stated that the Water Dept. budget has a 1.49% increase over last year. The primary reason for this, he explained, is that the Commissioners are actively pursuing possibilities of additional water supplies in Milford to augment that of the Curtis Wells. He stated efforts are being made to reduce the amount of water that has to be purchased during peak periods from Pennichuck Waterworks. He stated a couple of sites appear to be promising as potential well sites, and there is about \$25,000 added to the Budget for 2011 for well exploration and additional observation wells at each site to determine the yield and quality of the water. He added that the benefit line item in the Budget has increased by \$17,000 for this year, and the total increase in the Budget over 2010 is \$20,291.00.

There being no further questions or discussion on this article, the Moderator instructed the Town Clerk to place Article 9 as originally worded on the Ballot.

The results of the official ballot voting at the Elective Session on Article 9 is as follows:

YES: 1393 NO: 486

Article 9 was voted in the affirmative.

ARTICLE 10 - ROUTE 101A / ROUTE 13 / OVAL IMPROVEMENTS GRANT - \$155,000

Article #10 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Seven Hundred Seventy-five Thousand (\$775,000) Dollars (\$155,000 to be raised by general taxation and \$620,000 from Federal Grant) for engineering of, potential right-of-way acquisition for, and construction of improvements to Route 101A, Route 13, and The Oval, including but not limited to vehicular and pedestrian safety enhancements in the downtown area of Milford generally described as that area bordered by the Nashua Street / Tonella Road intersection; the South Street / Prospect Street / Lincoln Street intersections; the Elm Street / Cottage Street intersection; and the Mont Vernon Street / Amherst

Street / Grove Street intersections. Said safety enhancements shall be based on completed and ongoing traffic studies within the Town, and shall include, but may not be limited to, sidewalks, crosswalks, utility relocation and undergrounding, paving, parking, and access management. The amount of One Hundred Fifty-five Thousand (\$155,000) Dollars is the final remaining match amount required of the Town necessary to obtain the full Federal transportation earmarked funding of Two Million, Eight Hundred Thousand (\$2,800,000) Dollars. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (4-1) (Selectman Carmen opposed). The Budget Advisory Committee does not support this Article (4-5). (Members Archambault, Burkhardt, Richey, Seward and Whitten oppose.) ***This Article has an estimated tax impact of \$0.097 (\$9.70 on a home valued at \$100,000).***

Note: In 2006 the Town was awarded \$3,500,000 Federal Highway Administration Section 1702 – Designated Project to be administered through the New Hampshire Department of Transportation. Of the \$3,500,000 the Town is required to provide a 20% match, or \$700,000. In 2006 the Town appropriated \$80,000 of the required match and in 2008, 2009 and 2010 the Town appropriated an additional \$155,000 each year for a total match commitment made through 2010 of \$545,000. The remaining match commitment is \$155,000 to be raised in 2011. With the 2011 appropriation, the Town's match will total \$700,000 – the total of the match requirement for this project.

Ballot Question 10 –Route 101A / Route 13 / Oval Improvements Grant - \$155,000

Ballot Question #10 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Seven Hundred Seventy-five Thousand (\$775,000) Dollars (\$155,000 to be raised by general taxation and \$620,000 from Federal Grant) for engineering of, potential right-of-way acquisition for, and construction of improvements to Route 101A, Route 13, and The Oval, including but not limited to vehicular and pedestrian safety enhancements in the downtown area of Milford generally described as that area bordered by the Nashua Street/Tonella Road intersection; the South Street/Prospect Street/Lincoln Street intersections; the Elm Street / Cottage Street intersection; and the Mont Vernon Street/Amherst Street/Grove Street intersections or take any other action relative thereto as more particularly described in Article 10? This amount of One Hundred Fifty-five Thousand (\$155,000) Dollars is the Town's required remaining match to obtain the full Federal transportation earmarked funding of Two Million Eight Hundred Thousand (\$2,800,000) Dollars. The Board of Selectmen supports this Article (4-0) and the Budget Advisory Committee does not support this Article (4-5).

Selectman Tim Finan put a motion on the floor to place the proposed ballot question for Article 10 on the Ballot as printed above. It was seconded.

Mr. Finan addressed the assembly and explained this is the final appropriation for this project. He expressed the opinion that it is very important that this matter be taken care of now. While this is a committed project, the State is not doing very well financially, and he did not want to appear to be lax in the Town's commitment to the project at the last minute.

Rodny Richey addressed the assembly and stated the Budget Advisory Committee is concerned that this project is being done simply because it was started, with no eye on the current economic situation which was not there when the project first started. The Budget Advisory Committee is concerned with the attempt to complete the funding in total now. This allocation can be spread over two years to reduce the impact, he stated, and this would mean the town's contribution would then be completed in 2012. To date \$540,000 has been put aside to support this project, and the value of it should be compared to current critical needs.

Chuck Morrison, Chairman of the Budget Advisory Committee addressed the assembly and stated he spoke to the minority position of the Committee which minority stated this is a high priority project for a critical infrastructure in Milford. The minority did not want to see the Town losing the opportunity for outside funding.

Selectman Nate Carmen addressed the assembly and stated he did not support this article for \$155,000 because he felt it might jeopardize acquisition of the land for the Fire/Ambulance warrant article. However, he supports that the commitment needs to be made to the State in order to secure additional funds.

He placed an amendment to this article on the floor to amend the dollar amount to \$77,500.00. It was seconded.

Chairman Morrison stated that in the language of the warrant article with the dollar amount changing to \$77,500, the dollar amount of the \$620,000 would also need to be changed, and be reduced to \$310,000.

The Moderator, upon hearing Mr. Morrison's proposed amendment, stated he would accept these two proposed amendments as one.

Mr. Morrison then pointed out that the tax impact would also have to be altered accordingly.

Robert Courage spoke against the proposed amendment because these funds have been set aside over several years in order to obtain the Federal grant. He stated the main roads in this town are deteriorating and explained that the more time that goes by without repairs, the larger the cost for repairs will be. This includes major potholes in Union Square, and poor surface conditions on South Street. He expressed the opinion that the final appropriation by the Town should be made so that any and all other funding available can be obtained now, before it is too late. He recommended that the amendment be voted down.

Chairman Finan also spoke against the amendment, urging that the issue be taken care of now, and not put off till a later date.

In response to a question from Rodney Richey, Bill Parker, Director of Community Development addressed the assembly and stated that the projects included are based on citizen input, staff input from the emergency services, the Department of Public Works staff, and the Oval Area Improvement Team. All of the projects have to be in the downtown area. He stated that Union Square is the next priority which will include repaving, cross-walk relocations and resizing the islands at each end of the Oval, and should the fire/ambulance project go through, any needed traffic rearrangements that may be needed can be included in this. He stated that the Oval area is the next priority, after the work commences on South Street. Other areas identified include part of Nashua Street (from Clinton Street to Tonella Road), Prospect Street/Marshall Street intersection, which may include drainage improvements if funds permit; improvements are also proposed for the intersection of Amherst Street/Mont Vernon Street and Grove Street; the area of Union Street/Cottage Street, which will include putting in sidewalks and doing repaving, and making better defined travelways through this area are also included.

Selectman Bauer spoke for the article as presented, and expressed the opinion that the job needs to be done and done now. Selectman Carmen expressed the opinion that he felt it would be less impact on the citizens during these bad economic times if the final appropriation be split over two years.

In response to citizens' suggestion that the funding be split this year, Bill Parker stated that the projects will begin as soon as possible, adding that they are phased over the next four or five years. He stated there is sufficient funding now available to take care of the Union Square issue. He urged that supporting this article will convey to the State that the Town is committed to this project.

After several further comments in support of the article as written, Bill Parker explained that the Town has a signed agreement with the State – if the Town provides its share, then the State will provide its share.

After considerable further discussion, the question was called, and seconded. Calling for a vote by a show of green cards, the Moderator announced the vote was in the affirmative.

There being no further discussion or questions, the Moderator read the Article with the changes as proposed in the above amendment. He called for a vote by a show of cards. The amendment failed.

He sought any further comments, questions or discussions, on the Article as originally written, and hearing none, he instructed the Town Clerk to place the article as originally worded on the ballot.

The results of the official voting at the Elective Session on Article 10 is as follows:

YES: 1372 NO: 576

Article 10 was voted in the affirmative.

ARTICLE 11 - PUBLIC WORKS TRACTOR/LOADER/BACKHOE - \$150,000

Article #11 as presented at the Deliberative Session is as follows:

To see if the Town will vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal funding clause which will protect the Town in the event of non-appropriation, for the purpose of lease-purchasing a tractor/loader/backhoe with the appropriate equipment for highway department operation (it will replace the current 1998 Ford tractor/loader/backhoe) and to raise and appropriate the sum of Thirty three Thousand, Five Hundred (\$33,500) Dollars for the first year's payment for this purpose or take any other action relative thereto. The total purchase price of this vehicle is One Hundred Fifty Thousand (\$150,000) Dollars. If this article passes, future years' payments will be included in the operating budget. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (4-1) (Selectman Putnam opposed). The Budget Advisory Committee does not support this Article (0-8). *This Article has an estimated tax impact of \$0.021 (\$2.10 on a home valued at \$100,000).*

Ballot Question 11 – Public Works Tractor/Loader/Backhoe - \$150,000

Ballot Question #11 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal funding clause which will protect the Town in the event of non-appropriation, for the purpose of lease-purchasing a tractor/loader/backhoe with the appropriate equipment for highway department operation (it will replace the current 1998 Ford tractor/loader/backhoe) and to raise and appropriate the sum of Thirty-three Thousand, Five Hundred (\$33,500) Dollars for the first year's payment for this purpose or take any other action relative thereto? The total purchase price of this vehicle is One Hundred Fifty Thousand (\$150,000) Dollars. If this article passes, future years' payments will be included in the operating budget. The Board of Selectmen supports this Article (4-1) (Selectman Putnam opposed). The Budget Advisory Committee does not support this Article (0-8).

Chairman Tim Finan moved that the proposed ballot question for Warrant Article 11 be placed on the ballot as printed above. It was seconded.

Chairman Finan then moved that the dollar amount be changed from \$33,500.00 to \$28,900.00 and the total purchase price of the vehicle be changed from \$150,000.00 to \$135,000.00. It was seconded.

Selectman Carmen addressed the assembly and stated, speaking for the majority, that the change came as a request from the Public Works Department. He stated that the purchase price originally came in at \$175,000.00 and the Selectmen requested the Department to investigate a vehicle at a lower price because it was felt that there would be a lot of used equipment on the market at this time of reduced construction. It was also felt that a piece of new equipment that would come with all the attachments needed, would be cheaper than a used piece for which additional attachments would have to be purchased separately. The Selectmen felt that the current economic situation opened the market for negotiating a lower price on a piece of new equipment. Director of Public Works, Bill Ruoff addressed the assembly and stated considerable thought had been given to just what was needed in a replacement vehicle and decided on a tractor backhoe. Different size machines were checked out and further research was done as to just what type of equipment would serve the purpose best. He added that a backhoe is one of the most used machines in the arsenal and the decision was made that a medium size machine would be the best. The size and type of machine resulted in the lower price. The end result was that he felt \$135,000.00 would be sufficient to purchase the best type of machine for the purposes of intended use.

Gil Archambault of the Budget Advisory Committee addressed the assembly and stated that his Committee was unanimously against this purchase at \$150,000.00 because it was too high. He thanked Bill Ruoff for the research he had done and the information he had provided, and added that the Committee would meet next Monday, reconsider the facts provided at this meeting, and make a final decision.

After further comments and discussion, and there being no further discussion, the Moderator called for a vote on the amendment as proposed. The amendment passed.

The Moderator instructed the Town Clerk to place Warrant Article 11 on the ballot as amended.

ARTICLE 11 AS AMENDED reads:

To see if the Town will vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement, subject to a fiscal funding clause which will protect the Town in the event of non-appropriation, for the purpose of lease-purchasing a tractor/backhoe with the appropriate equipment for highway department operation (it will replace the current 1998 Ford tractor/loader/backhoe) and to raise and appropriate the amount of Twenty Eight Thousand Nine Hundred (\$28,900) dollars for the first year's payment for this purpose or take any other action relative thereto. The total purchase price of this vehicle is One Hundred Thirty Five Thousand (\$135,000) Dollars. If this article passes, future years' payments will be included in the operating budget. This is a Special Warrant Article in accordance with RSA 32.

BALLOT QUESTION 11 AS AMENDED reads:

Shall the Town vote to authorize the Board of Selectmen to enter into a 5-year lease/purchase agreement subject to a fiscal funding clause which will protect the Town in the event of non-appropriation, for the purpose of lease-purchasing a tractor/loader/backhoe with the appropriate equipment for highway department operation (it will replace the current 1988 Ford tractor/loader/backhoe) and to raise and appropriate the sum of Twenty Eight Thousand Nine Hundred (\$28,900) Dollars for the first year's payment for this purpose or take any other action relative thereto. The total purchase price of this vehicle is One Hundred Thirty Five Thousand (\$135,000) Dollars. If this article passes, future years' payments will be included in the operating budget.

The results of the official ballot voting at the Elective Session on Article 11 as amended is as follows:

YES: 778 NO: 1147

Article 11 as amended was voted in the negative.

ARTICLE 12 - ROUTE 13 SOUTH/EMERSON ROAD/ARMORY ROAD INTERSECTION IMPROVEMENTS - \$90,000

Article #12 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Four Hundred Fifty Thousand (\$450,000) Dollars (\$90,000 be raised by general taxation and \$360,000 from federal Congestion Mitigation Air Quality (CMAQ) funding) for the construction of east-bound and west-bound turning lanes with signalization upgrades at the intersection of NH Route 13, Emerson Road, and Armory Road, or take any other action relative thereto. This will be a Special Article in accordance with RSA 32. Note: If the project does not receive federal CMAQ funding, the request for \$90,000 (20% matching funds) will be withdrawn. The Board of Selectmen supports this Article (4-1) (Selectman Carmen opposed). The Budget Advisory Committee supports this Article (6-2). (Members Archambault and Richey oppose.) *This Article has an estimated tax impact of \$0.056 (\$5.60 on a home valued at \$100,000).*

Ballot Question 12 - Route 13 South/Emerson Road/Armory Road Intersection Improvements - \$90,000

Ballot Question #12 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Four Hundred Fifty Thousand (\$450,000) Dollars (\$90,000 be raised by general taxation and \$360,000 from federal Congestion Mitigation Air Quality (CMAQ) funding) for the construction of east-bound and west-bound turning lanes with signalization upgrades at the intersection of NH Route 13, Emerson Road, and Armory Road, or take any other action relative thereto? Note: If the project does not receive federal CMAQ funding, the request for \$90,000 (20% matching funds) will be withdrawn. The Board of Selectmen supports this Article (4-1) (Selectman Carmen opposed). The Budget Advisory Committee supports this Article (6-2).

Chairman Tim Finan put a motion on the floor, it was seconded, to place Ballot Question for Warrant Article 12 on the Ballot as printed above.

Mr. Finan addressed the assembly and stated this is another issue with a matching grant. He explained that \$360,000 would come from Federal Congestion Mitigation Air Quality funding with \$90,000 to be raised by

taxation. It involves the construction of east bound and west bound turning lanes with signalization upgrading at the intersection of Emerson Road, Route 13 and Armory Road. This will add a turning lane on Armory Road when travelling towards Route 13 and on Emerson going in the other direction, and added that this is a dangerous intersection. Mr. Finan stated that yesterday the Town received confirmation of the matching grant from the Federal government.

Chuck Morrison of the Budget Advisory Committee addressed the assembly and stated he was speaking to the majority. He stated the Committee supports this article with a vote of 6 to 2. This intersection needs to be improved for safety.

In answer to a question from the floor, Bill Parker, Director of Community Development addressed the assembly and stated this funding process occurs every two years and so if this article does not pass, the Town would need to reapply in two years time, adding that there is no guarantee that the Town would be chosen at that time for this project's funding.

Rodny Richey of the Budget Advisory Committee, speaking for the minority, stated that this intersection does indeed need improvement but questioned why it costs so much, though with the grant having been approved, it is more acceptable. He questioned however, what was to be done about the hump in the road, to which Mr. Parker responded by explaining that this project includes widening but no grading.

After further comments and discussion, there being no further discussion, the Moderator instructed the Town Clerk to place Warrant Article 12 on the ballot as worded above.

The results of the official ballot voting at the Elective Session on Article 12 is as follows:

YES: 1136 NO: 771

Article 12 was voted in the affirmative.

Vice Chairman Gary Daniels put a motion on the floor, it was seconded, that reconsideration on Articles 8 through 12 be restricted. It was so voted.

ARTICLE 13 - SOCIAL SERVICES - \$35,000

Article #13 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Thirty-five Thousand (\$35,000) Dollars for the purpose of providing funding to Social Service agencies for Milford residents or take any other action relative thereto. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (4-1) (Selectman Daniels opposed). The Budget Advisory Committee supports this Article (8-0). *This Article has an estimated tax impact of \$0.022 (\$2.20 on a home valued at \$100,000).*

Ballot Question 13 – Social Services - \$35,000

Ballot Question #13 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Thirty-five Thousand (\$35,000) Dollars for the purpose of providing funding on behalf of Milford residents to social service agencies, or take any other action relative thereto? The Board of Selectmen supports this Article (4-1) The Budget Advisory Committee supports this Article (8-0).

Chairman Tim Finan put a motion on the floor, it was seconded, to place the proposed ballot question for Warrant Article 13 on the ballot as quoted.

Jolie Whitten of the Budget Advisory Committee addressed the assembly and stated the Committee supported this article.

Selectman Bauer addressed the assembly and stated that the services provided by the organizations involved in this appropriation, save the town considerable money, and the article should be supported.

There being no further discussion, the Moderator instructed the Town Clerk to place Warrant Article 13 on the Ballot as worded above.

The results of the official ballot voting at the Elective Session on Article #13 is as follows:

YES: 1396 NO: 513

Article #13 was voted in the affirmative.

ARTICLE 14 - NON-EMERGENCY COMMUNITY TRANSPORTATION BUS SERVICE - \$35,000

Article #14 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Thirty-five Thousand (\$35,000) Dollars for the purpose of providing the Town's share of funding to the Souhegan Valley Transportation Collaborative (SVTC) in order to continue operating a regional, non-emergency, wheelchair-accessible transportation service providing rides within the designated service area to seniors, people with disabilities, and the general public, or take any other action relative thereto. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0). *This Article has an estimated tax impact of \$0.022 (\$2.20 on a home valued at \$100,000).*

Ballot Question 14 –Non-Emergency Community Transportation Bus Service - \$35,000

Ballot Question #14 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Thirty-five Thousand (\$35,000) Dollars for the purpose of providing the Town's share of funding to the Souhegan Valley Transportation Collaborative (SVTC) in order to continue operating a regional, non-emergency, wheelchair-accessible transportation service providing rides within the designated service area to seniors, people with disabilities, and the general public or take any other action relative thereto? The Board of Selectmen supports this Article (5-0) and the Budget Advisory Committee supports this Article (8-0).

Chairman Tim Finan moved and it was seconded that the proposed Ballot Question 14 be placed on the ballot as printed above.

Janet Langdell of the Souhegan Valley Transportation Cooperative addressed the assembly and stated this service is available in Milford, Hollis, Amherst and Brookline. She explained that the bus service provides door-to-door shared rides; the buses are wheelchair and handicapped accessible; they run Tuesdays, Wednesdays and Thursdays from 8 a.m. to 4 p.m.; they provide rides for healthcare, social services, trips to the pharmacy; they provide shopping trips on Thursdays. The cost is \$2.00 per ride each way and all residents are eligible. Ms. Langdell stated that the \$35,000 requested is Milford's share of the annual cost. She stated that if sufficient federal funding is available, it is the hope that the service can be expanded to five days a week and offer more destinations.

The Budget Advisory Committee requested details regarding the reduction in requested funding over last year's amount which is a reduction for all the member towns, to which Ms. Langdell explained that the \$10,000 total is the remaining left-over at the end of last year.

There being no further discussion or questions, the Moderator instructed the Town Clerk to place Warrant Article 14 on the ballot as worded above.

The results of the official ballot voting at the Elective Session on Article 14 is as follows:

YES: 1473 NO: 459

Article 14 was voted in the affirmative.

ARTICLE 15 - PUMPKIN FESTIVAL, HOLIDAY DECORATIONS AND PLANTINGS - \$20,000

Article #15 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand (\$20,000) Dollars for purposes of Pumpkin Festival support by Public Works, Police, Fire, and Ambulance Departments; purchase and planting of flowers for the Oval and Stone Bridge areas; purchase of lights, garland, etc. for holiday decorations; or take any other action relative thereto. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (3-5). (Members Archambault, Morrison, Richey, Seward and Whitten oppose.) *This Article has an estimated tax impact of \$0.013 (\$1.30 on a home valued at \$100,000).*

Ballot Question 15 - Pumpkin Festival, Holiday Decorations and Plantings - \$20,000

Ballot Question #15 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Twenty Thousand (\$20,000) Dollars for purposes of Pumpkin Festival support by Public Works, Police, Fire, and Ambulance Departments; purchase and planting of flowers for the Oval and Stone Bridge areas; purchase of lights, garland, etc. for holiday decorations; or take any other action relative thereto? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (3-5).

Chairman Tim Finan moved, it was seconded that the question for Warrant Article 15 be placed on the ballot as above.

Selectman Bauer addressed the assembly and stated the Selectmen supported this article unanimously. She provided details of the Pumpkin Festival, including there being over 30,000 people present at the 2010 Festival. She stated countless volunteers and organizations assist in the running of this Festival, which benefits Milford in numerous ways.

In answer to Ms. Bauer's request for details of how much vendors and participants pay for attending this Festival, Tracey Bardsley, Executive Director of DO-IT, addressed the assembly and stated there are many vendors attending the Festival and they are charged for space occupied. Sponsorships are also sought by the DO-IT. She stated that for 2010 about \$17,000 was received from sponsorships which was about the maximum ever received. There are over 100 vendors plus the food-providing kiosks on Middle Street in attendance. However, she added that the Festival costs a great deal of money to put on. Town police and police from outside have to be hired, sometimes security has been needed, the employees from Public Works and the Parks are needed and have to be paid, as well as fire and ambulance services. The Festival has a large financial impact on the town, which has been calculated at about \$2.6 million for 2010.

Chuck Morrison, Chairman of the Budget Advisory Committee spoke on behalf of the majority of his Committee which was against this article, and stated the Pumpkin Festival is a well-known event which has been improved each year with resounding success in 2010 by the DO-IT. It was the opinion of the Committee that tax dollars should now be reduced so that more of the support needed is paid by vendors and participants.

Janet Langdell addressed the assembly and questioned if DO-IT had to pay for the town services provided, to which Guy Scaife responded by stating that the Festival originally was supported by the Town at a higher amount, and since that amount has been reduced, there has been a shortage of funds for those services. This article also included funds needed for the plantings and decorations for the holiday seasons, he stated.

Questioned as to why the cost of attending the Festival could not be raised, Ms. Bardsley stated that ours is not the only festival available to vendors; there is also limited space and not much room for encouraging more vendors. She feared that were the rates for space to be increased, vendors may just not attend at all.

After considerable comments, and discussions the question was called. It was voted in the affirmative.

There being no further comments the Moderator instructed the Town Clerk to place the Warrant Article 15 on the Ballot as quoted above.

The results of the official ballot voting at the Elective Session on Article 15 is as follows:

YES: 1265 NO: 660

Article 15 was voted in the affirmative.

ARTICLE 16 - DO-IT OPERATING BUDGET SUPPORT - \$20,000

Article #16 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand (\$20,000) Dollars for the purpose of continued partial funding for community and economic development programs in and around downtown administered by the Milford Downtown Ongoing Improvement Team (DO-IT), or take any other action relative thereto. By request of DO-IT. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (6-2). (Members Seward and Whitten opposed.) *This Article has an estimated tax impact of \$0.013 (\$1.30 on a home valued at \$100,000).*

Ballot Question 16 – DO-IT Operating Budget Support - \$20,000

Ballot Question #16 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Twenty Thousand (\$20,000) Dollars for the purpose of continued partial funding for community and economic development programs in and around downtown administered by the Milford Downtown Ongoing Improvement Team (DO-IT), or take any other action relative thereto? The Board of Selectmen supports this Article (5-0) and the Budget Advisory Committee supports this Article (6-2).

Chairman Tim Finan put a motion on the floor, and it was seconded, to place Warrant Article 16 on the ballot as printed above.

Mr. Finan stated the Selectmen supported this article and had nothing further to say on the matter.

Trudy Morgan of the Budget Advisory Committee addressed the assembly and stated DO-IT has done a great deal for the enhancement of the downtown area, which includes their work involving the Pumpkin Festival, the Keyes Art Festival, and numerous other events.

Some of its plans for 2011 include utilizing a revolving loan fund for local businesses with low interest to improve their building exteriors. She expressed the opinion that reviewing the enormous amount that the organization does for Milford, they deserved the support of the Town as requested in this Article.

There being no further discussion, comments or questions, the Moderator instructed the Town Clerk to place Warrant Article 16 on the ballot as printed above.

The results of the official ballot voting at the Elective Session on Article 16 is as follows:

YES: 1212 NO: 691

Article 16 was voted in the affirmative.

ARTICLE 17 - CONSERVATION LANDS FUND - \$10,000

Article #17 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Ten Thousand (\$10,000) Dollars to add to the Conservation Land Fund created in accordance with RSA 36-A, said land fund being allowed to accumulate from year to year and to be available for the acquisition of property, conservation easements and other RSA 36A purposes, or take any other action relative thereto. This is a Special Warrant Article in accordance with RSA 32. The Board of Selectmen supports this Article (3-2) (Selectmen Daniels and Putnam opposed). The Budget Advisory

Committee supports this Article (8-0). *This Article has an estimated tax impact of \$0.006 (\$0.60 on a home valued at \$100,000).*

[Moneys from this Fund for land or easement acquisition can only be expended by the Conservation Commission after a public hearing and approval of the Board of Selectmen.]

Ballot Question 17 – Conservation Land Fund – \$10,000

Ballot Question #17 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Ten Thousand (\$10,000) Dollars to add to the Conservation Land Fund created in accordance with RSA 36-A, said land fund being allowed to accumulate from year to year and to be available for the acquisition of property, conservation easements and other RSA 36A purposes, or take any other action relative thereto? The Board of Selectmen supports this Article (3-2) and the Budget Advisory Committee supports this Article (8-0).

Chairman Tim Finan moved and it was seconded, to place the proposed ballot question for Warrant Article 17 on the ballot as quoted above.

Selectman Nate Carmen addressed the assembly and stated that the Conservation Commission puts these funds aside in a special account to save so that funding will be available for land purchase when the opportunity arises. Their request for this year was originally \$15,000.00. He stated that the selectmen felt that by reducing it to \$10,000 would be more appropriate for the current economic times.

Peggy Seward of the Budget Advisory Committee addressed the assembly and stated the Committee was unanimously supportive of this article, and commended the Conservation Commission for its efforts.

After a brief further discussion, there being no further questions or comments, the Moderator instructed the Town Clerk to place Warrant Article 17 on the ballot as worded above.

The results of the official ballot voting at the Elective Session on Article 17 is as follows:

YES: 1253 NO: 657

Article 17 was voted in the affirmative.

ARTICLE 18 - SUMMER BAND CONCERTS - \$9,000

Article #18 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Nine Thousand (\$9,000) Dollars for the purpose of holding the traditional summer evening Band Concerts (\$6,000 bands, \$2,000 sound system, \$1,000 crossing detail), or take any other action relative thereto. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (6-2). (Members Morrison and Whitten opposed.) *This Article has an estimated tax impact of \$0.006 (\$0.60 on a home valued at \$100,000).*

Ballot Question 18 - Summer Band Concerts - \$9,000

Ballot Question #18 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Nine Thousand (\$9,000) Dollars for the purpose of holding the traditional summer evening Band Concerts (\$6,000 bands, \$2,000 sound system, \$1,000 crossing detail), or take any other action relative thereto? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (6-2).

Chairman Tim Finan moved, and it was seconded, to place proposed ballot question for Article 18 on the ballot as printed above.

There being no questions, comments or discussion, the Moderator instructed the Town Clerk to place Warrant Article 18 on the ballot as quoted above.

The results of the official ballot voting at the Elective Session on Article 18 is as follows:

YES: 1193 NO: 726

Article 18 was voted in the affirmative.

ARTICLE 19 - MEMORIAL, VETERANS & LABOR DAY PARADE TOWN SUPPORT - \$6,000

Article #19 as presented at the Deliberative Session is as follows:

To see if the Town will vote to raise and appropriate the sum of Six Thousand (\$6,000) Dollars for Town support to the Memorial, Veterans and Labor Day Parades by Public Works, Police Department and other Town departments. Departmental support costs and materials associated with the provision of these services will be charged against this appropriation. This is a Special Article in accordance with RSA 32. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0). *This Article has an estimated tax impact of \$0.004 (\$0.40 on a home valued at \$100,000).*

Ballot Question 19 - Memorial, Veterans & Labor Day Parade Town Support - \$6,000

Ballot Question #19 as presented at the Deliberative Session is as follows:

Shall the Town vote to raise and appropriate the sum of Six Thousand (\$6,000) Dollars for Town support to the Memorial, Veterans and Labor Day Parades by Public Works, Police Department and other Town departments. Departmental support costs and materials associated with the provision of these services will be charged against this appropriation? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0).

Chairman Tim Finan moved, and it was seconded, to place the proposed ballot question for Warrant Article 19 on the ballot as quoted above.

There being no comments or questions, the Moderator instructed the Town Clerk to place Warrant Article 19 on the ballot as quoted above.

The results of the official ballot voting at the Elective Session on Article 19 is as follows:

YES: 1460 NO: 470

Article 19 was voted in the affirmative.

Selectman Gary Daniels put a motion on the floor, it was seconded and voted in the affirmative to restrict reconsideration of Articles 13 through 19.

ARTICLE 20 - ESTABLISHMENT OF THE BROX PROPERTIES PUBLIC INFRASTRUCTURE IMPROVEMENT FUND (Tax Map 38, Lots 4, 5, 5-1, 6, 9, 11, 12, 13, and 14) – \$0

Article #20 as presented at the Deliberative Session is as follows:

To see whether the Town will vote, pursuant to RSA 31:19-a, to create an expendable trust fund known as *The BROX Properties Public Infrastructure Improvement Fund* the purposes of said trust shall be to defray costs of construction of municipal infrastructure improvements in the form of highway improvements and/or the provision of municipal water and sewer facilities servicing the above referenced BROX properties, located in the West Milford Tax Increment Financing District, when, as, and if the construction of such improvements is approved by the boards, agencies and other bodies from which approval of such construction is required. The Board shall be agents to expend the trust, and may, at its discretion, divert unneeded funds required for BROX properties public

infrastructure construction to the general fund. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (1-8). (Member Seward supports.) *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 20 – Establishment of the BROX Properties Public Infrastructure Improvement Fund (Tax Map 38, Lots 4, 5, 5-1, 6, 9, 11, 12, 13, and 14) – \$0

Ballot Question #20 as presented at the Deliberative Session is as follows:

Shall the Town vote, pursuant to RSA 31:19-a, to create an expendable trust fund known as The BROX Properties Public Infrastructure Improvement Fund the purposes of said trust shall be to defray costs of construction of municipal infrastructure improvements servicing the BROX properties, as more-particularly described in Article 20? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (1-8).

It was moved by the Board of Selectmen and seconded that the proposed Ballot Question for Warrant Article #20 be placed on the Ballot as presented.

Bill Parker, Director of Community Development, addressed the assembly and spoke on this article plus Article 21 and Article 22 at the same time. He stated that these three articles all deal with the economic development initiatives in Milford in trying to move forward on the Brox Property and the Tax Increment Finance District. The goal of this is to provide the Town with the additional tools which will assist facilitating property tax development.

Mr. Parker provided a chronology of the Brox Property development and stated that in the late 1990's the Brox Company approached the Town to see if the Town was interested in purchasing 320 acres of undeveloped property. They provided conceptual subdivision plans for approximately 90 homes. The Town authorized a study committee to analyze the cost/benefit of town ownership.

In 1999 the Study Committee recommended to the Selectmen that the Brox property be purchased, to retain the residentially zoned parcels for future community uses and the industrially zoned parcels for sale for industrial uses and economic development.

In 2000 town voters approved purchase of 270 acres for \$1.4 million, financed by a 15 year bond. A separate parcel of 50 acres was purchased by the School District as a site for the Heron Pond Elementary School.

Between 2000 and 2006, Milford Industrial Development Corporation (MIDC) concentrated on strategies to sell the Brox industrial parcels. During that time period, in 2000 the Planning Board adopted the Report and Recommendations on Providing and Preserving Land for Future Community Needs; the following year the voters approved authorization for the Selectmen to sell the Brox industrial parcels for industrial uses. In 2004, voters approved funding for consultant work to develop a master plan for community uses. In 2006 the voters created a "Tax Increment Financing District (TIF District)" to provide a funding mechanism for Brox industrial property infrastructure.

2006 – present: The West Milford Tax Increment Financing District Advisory Board took over the MIDC and continued developing strategies, tools and planning for the TIF District. Work began with professional commercial real estate brokers to market and promote the Brox Property/TIF District. Contacts and discussions were made with potential developers.

In 2007 the voters approved establishment of the Brox Community Land Infrastructure Capital Reserve Fund, and also approved authorization for the Selectmen to sell and/or dispose of mineral interests, earth materials, and other natural resources located in the "community lands" portion of the Property, and divert proceeds to the Brox Community Land Infrastructure Capital Reserve Fund. That same year the voters approved the diversion of up to \$500,000 from the proceeds of sale of earth materials into the Brox Community Land Infrastructure Capital Reserve fund. At that same town meeting, the voters failed to approve authorization for the Selectmen to issue bonds for \$2,760,000 for Phase 1 infrastructure development of the Brox Industrial/Tax Increment Financing District properties. They did, however, approve rezoning the Brox industrial parcels from "I-Industrial" to "ICI-2" Integrated Commercial-Industrial 2, to allow mixed use development in this area.

In 2008, the Planning Board adopted updated Community Facilities chapter of the Milford Master Plan that acknowledges, based on review by the Community Facilities Committee, the former Police Station site as a 'highly visible location and important commercial site.' At this point in time, the Committee did not foresee any future long-term community facility uses for the Elm Street site. Chapter goals included analyzing the highest and best use of the Elm Street property (former Police Station) and re-evaluating the 2005 Brox Community Lands Master Plan to reflect projected changes in community needs.

At the 2011 town meeting, three warrant articles are proposed to provide additional tools and methodologies to facilitate Brox Property/TIF District development:

Establishment of the Brox Properties Public Infrastructure Improvement Fund (Tax Map 38 Lots 4, 5, 5-1, 6, 9, 11, 12, 13 and 14).

Division of Proceeds of Sale of former Police Station Property.

Modification of Authorization for Selectmen, Sale of the Brox Properties (Tax Map 38 Lots 4, 5, 5-1, 6, 9, 11, 12, 13 and 14)

Mr. Parker explained that Article 20 creates an expendable trust fund that will be utilized specifically to fund infrastructure improvements (roads, water utilities, sanitary sewer facilities, stormwater facilities) needed for development of the Brox TIF District properties. The Board of Selectmen will be the agents for expending the funds when and if infrastructure construction is approved by the necessary boards and agencies.

Relative to Article 21, he explained that the Board of Selectmen were given authorization by Town voters in 2006 to sell the former police station property on terms which it finds acceptable. The intent of this article is to allow the proceeds of a sale, when and if it occurs, to be placed in the Brox Properties Public Infrastructure Improvement Fund created by the previous warrant article. This is not a mandate to place the proceeds of the sale into this fund; however, the article provides the flexibility to do so as a means to help fund the necessary Brox property infrastructure. Warrant articles with the same purpose as these two were approved by the Town in 2007 to help fund the infrastructure for the "community lands".

On Article 22, he explained the Selectmen were given authorization by Town voters in 2001 to sell the industrially-zoned Brox properties for 'industrial' purposes. In 2007 the Town approved a rezoning of these parcels to 'Integrated Commercial-Industrial 2' which allows a mix of industrial and commercial uses. This article is a housekeeping item to reflect the allowable uses in the current zoning district.

Jolie Whitten of the Budget Advisory Committee questioned who would be responsible for putting in the infrastructure and what are the estimated costs for same, to which Bill Parker responded by stating that putting in the infrastructure is usually the responsibility of the developer unless the Town floats a bond issue or determines that it is going to extend the water and sewer lines and road improvements. The intention with the Brox property is to work with the developers as to who does what in the course of development. He explained that if a bond was floated, funds generated through the Brox property would be used to pay off the bond and after that the funds would go into the general fund.

Rodny Richey of the Budget Advisory Committee addressed the assembly and stated that the Committee was against Article 20 because this article establishes another fund which moved money away from the general voter oversight. Also money put into this fund cannot be used for general Town needs without revocation by town vote. The opportunity for sale of Brox is extremely unlikely and therefore making any return on investment is also unlikely in the near term. One committee member favored Article 20 because the Brox Properties Infrastructure Fund provides a location for available funds to be held for future needs.

Mr. Richey spoke for the Committee on Article 21, which the Committee was unanimously against this article and stated that recent appraisal places value on this property in the amount of about \$500,000. The Committee felt this is a large sum of money to lock away for years while awaiting a return on the investment. The Committee felt any funds received should go to the General Fund if the old police station is sold. The Committee's opinion was that no plan has been established for replacing the recreational and other uses of the old police station site, and were of the opinion that the old police station site may have value for future town facility needs.

On Article 22, Mr. Richey stated the Budget Advisory Committee was in support of this article, which is a housekeeping item to reflect the allowable uses in the district as currently zoned.

John McCormack, chairman of the TIF Board, addressed the assembly and stated his board had met with the Budget Advisory Committee and addressed some of its concerns; he also praised Bill Parker for an excellent presentation on the Brox property. He agreed with the Budget Advisory Committee that access to this property was an issue, it being limited and this also limits the development potential of the property. He stated that the current developer with whom the TIF Board is currently working, was also concerned about the access issue. He stated that development of a Master Plan for the future development of the Brox property is one that is going to require

considerable input from a number of boards and individuals, and is not something that will be accomplished in the near future.

Tim O'Connell addressed the assembly and offered the support of his wife and himself for the three warrant articles. He stated that it has been 15 years since discussions began as to the possibility of the town purchasing the Brox property. It is 11 years ago that the voters supported the purchase of the property. Since that time industrial development has been explored and the Heron Pond School on the property forms part of the land to be used for municipal development. Development of the property was considered to be a relief on the property tax issue by the voters. He expressed the opinion that it is now time to do something with this property.

Mr. Burkhardt of the Budget Advisory Committee addressed the assembly and expressed the opinion that another environmental study of the property needs to be done before proceeding with development. Bill Parker responded by stating that this will be done and felt it was likely to be a far more intensive study than the first one performed. He offered the statement that the developer with whom the Town is currently working is very much in favor of the environmental status of the property.

Deanna Carter of the Budget Advisory Committee addressed the assembly and stated she was not speaking for or against these three articles, but requested that when the word "commercial" is used relative to development of the Brox property that it does not mean multi-unit apartment complexes. She stated she had been assured in the past that this type of development would not be allowed, but wished to be reassured that is still so.

Bill Parker responded to the multi-family issue by stating that the current zoning of integrated industrial and commercial does not allow any residential uses other than senior housing, but he admitted he would have to check that out. He assured the assembly that traffic issues relative to the Brox property will receive detailed study during the development process.

Relative to the old police station, Mr. Parker stated it is a valuable site for location, and added that it is not a hazardous waste site, having only a small portion which is part of the OK Tool groundwater cleanup. There are monitoring wells on the police station site, and the above referenced portion and its development will have to depend on the clean up issues.

Janet Langdell, as chairman of the Planning Board, addressed the assembly and stated that letters have been sent by the Board of Selectmen and the Planning Board to the State and NRPC which strongly urge that the new Route 101 access be looked at and be included in the ten year State plan. She expressed the opinion that the plans for the Brox site as presented in these three articles are viable and felt it behooved the Town to vote for all three articles.

There being no further discussion relative to Article 20, the Moderator instructed the Town Clerk to place Warrant Article 20 on the ballot as originally worded.

The results of the official ballot voting at the Elective Session on Article 20 is as follows:

YES: 819 NO: 1048

Article 20 was voted in the negative.

ARTICLE 21 - DIVERSION OF PROCEEDS OF SALE OF FORMER POLICE STATION PROPERTY (Tax Map 13, Lot 5) - \$0

Article #21 as presented at the Deliberative Session is as follows:

To see whether the Town will vote to authorize the Selectmen to deposit any proceeds realized from the sale of the former Police Station property (Tax Map 13, Lot 5), which sale the Selectmen were authorized to undertake by virtue of the approval of Article 25 at the 2006 Town Meeting, into *The BROX Properties Public Infrastructure Improvement Fund*. This Article is contingent on the passage of the preceding Article establishing *The BROX Properties Public Infrastructure Improvement Fund*. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (0-9). *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 21 – Diversion of Proceeds of Sale of Former Police Station Property (Tax Map 13, Lot 5) - \$0

Ballot Question #21 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Selectmen to deposit any proceeds realized from the sale of the former Police Station property (Tax Map 13, Lot 5), which sale the Selectmen were authorized to undertake by virtue of the approval of Article 25 at the 2006 Town Meeting, into The BROX Properties Public Infrastructure Improvement Fund? This Article is contingent on the passage of the preceding Article establishing The BROX Properties Public Infrastructure Improvement Fund. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee does not support this Article (0-9).

It was moved by the Board of Selectmen and seconded to place Article 21 on the Ballot as quoted above.

Bill Parker addressed the assembly and stated that TIF did seek authorization to float a bond with numerous conditions, including that the bond be floated only if there was an industrial developer in the offing.

There being no further discussion on Article 21 other than that recorded under Article 20 above, which included discussion on Articles 20, 21 and 22, the Moderator instructed the Town Clerk to place Warrant Article 21 on the Ballot as above.

The results of the official ballot voting at the Elective Session on Article 21 is as follows:

YES: 928 NO: 966

Article 21 was voted in the negative.

ARTICLE 22 - MODIFICATION OF AUTHORIZATION FOR SELECTMEN SALE OF THE BROX PROPERTIES (Tax Map 38, Lots 4, 5, 5-1, 6, 9, 11, 12, 13, and 14) - \$0

Article #22 as presented at the Deliberative Session is as follows:

To see whether the Town will vote to modify the authority given to the Selectmen to sell the BROX properties by virtue of the approval of Article 18 at the 2001 Town Meeting, which currently authorizes the Selectmen to sell such property, located in the West Milford Tax Increment Financing District, for 'industrial' purposes, so that the authority will include the ability to sell such property for both 'industrial' and 'commercial' purposes, said authority in all other respects to remain in full force and effect. The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0) *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 22 – Modification of Authorization for Selectmen Sale of THE BROX PROPERTIES (Tax Map 38, Lots 4, 5, 5-1, 6, 9, 11, 12, 13, and 14) - \$0

Ballot Question #22 as presented at the Deliberative Session is as follows:

Shall the Town vote to modify the authority given to the Selectmen to sell the BROX properties by virtue of the approval of Article 18 at the 2001 Town Meeting, which currently authorizes the Selectmen to sell such property, located in the West Milford Tax Increment Financing District, for 'industrial' purposes, so that the authority will include the ability to sell such property for both 'industrial' and 'commercial' purposes, said authority in all other respects to remain in full force and effect? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0).

The Board of Selectmen moved and it was seconded to place Article 22 on the Ballot as presented.

The Moderator questioned the assembly if there was any further discussion other than what had gone before at the commencement of discussions on Articles 20, 21 and 22, to which the Budget Advisory Committee responded by stating that it did support Article 22.

There being no further discussion on Article 22, the Moderator instructed the Town Clerk to place Warrant Article 22 on the ballot as above.

The results of the official ballot voting at the Elective Session on Article 22 is as follows:

YES: 1390 NO: 476

Article 22 was voted in the affirmative.

Selectman Daniels put a motion on the floor, it was seconded and voted in the affirmative to restrict reconsideration on Articles 20, 21 and 22.

ARTICLE 23 - ELDERLY EXEMPTION EQUALIZATION TO SYNCHRONIZE WITH TOWN PROPERTY ASSESSMENT REVALUATION - \$0

Article #23 as presented at the Deliberative Session is as follows:

To see whether the Town will, pursuant to RSA 72:27-(a), vote to modify the elderly exemptions from property tax in the Town of Milford, based on assessed value for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years - \$67,000; for a person 75 years of age up to 80 years - \$100,000; and for a person 80 years or age or older - \$133,000? To qualify, the person must satisfy all of the conditions of RSA 72:39-(a) and (b) that pertain to eligibility for this exemption as well as those contained in any other applicable statute, including without limitation, that they demonstrate that they have been a New Hampshire resident for at least 3 consecutive years, that they own the real estate individually or jointly or, if the real estate is owned by such person's spouse, that they must have been married to each other for at least 5 years, and that they reside on the property. In addition, the taxpayer must have a net income in each applicable age group of not more than \$30,000 or, if married, a combined net income of not more than \$45,000; and own net assets of not more than \$85,000, excluding the value of the person's residence. This adjusted exemption shall take effect for tax year 2011. The Board of Selectmen supports this Article (4-0)

Background: The 2010 MS-1 reports the Valuation before Exemptions was \$1,595,501,427, and the total amount of Elderly Exemption was \$6,452,000, or 0.40%.

Note: This Warrant Article adjusts the existing Elderly Exemption amounts to remain neutral when property values are adjusted for the 2011 Revaluation. The actual equalization ratio for 2010 is 1.205 as provided by the Department of Revenue (DRA). The formula used for the proposed amount is the current exemption amount divided by 1.205 and rounded.

Ballot Question 23 - Elderly Exemption Equalization to Synchronize with Town Property Assessment Revaluation

Ballot Question #23 as presented at the Deliberative Session is as follows:

Shall the Town, pursuant to RSA 72:27-(a), vote to modify the elderly exemptions from property tax in the Town of Milford, based on assessed value for qualified taxpayers, to be as follows: for a person 65 years of age up to 75 years - \$67,000; for a person 75 years of age up to 80 years - \$100,000; and for a person 80 years or age or older - \$133,000? To qualify, the person must satisfy all of the conditions of RSA 72:39-(a) and (b) that pertain to eligibility for this exemption as well as those contained in any other applicable statute, as more-particularly described in Article 23. This adjusted exemption shall take effect for tax year 2011. The Board of Selectmen supports this Article (4-0)

Chairman Tim Finan put a motion on the floor, and it was seconded to place the proposed ballot question for Warrant Article 23 on the ballot as quoted above.

Mr. Finan stated this article changes the elderly exemptions so that they are more in line with the new evaluations that are to be done this year. He stated currently the age group 65 to 74 years has an exemption of \$80,000 which will become \$67,000; the 75 to 79 age group has an exemption of \$120,000 which will become \$100,000; the 80 and over age group currently has a \$160,000 exemption which will become \$133,000.

Rodny Richey of the Budget Advisory Committee addressed the assembly and stated the Committee had not had the opportunity to review this matter, but questioned how do the tax impact notes which are attached to each article

relate to the projected reduction of 20 to 25% in the assessed value of property in Milford. He requested that this be answered now or in the Voters Guide.

Guy Scaife, Town Administrator addressed the assembly and stated that when these figures were put together, the Town had not received the precise numbers from the Department of Revenue Administration. Once this is in hand and we proceed through the evaluation, there will be various changes.

After further discussion, and there being no further discussion the Moderator instructed the Town Clerk to place the proposed ballot question for warrant article 23 on the ballot as quoted above.

The results of the official ballot voting at the Elective Session on Article 23 is as follows:

YES: 1602 NO: 302

Article 23 was voted in the affirmative.

ARTICLE 24 - JOINING CONCORD REGIONAL SOLID WASTE / RESOURCE RECOVERY COOPERATIVE - \$0

Article #24 as presented at the Deliberative Session is as follows:

To see if the Town will vote to authorize the Board of Selectman to join the Concord Regional Solid Waste / Resource Recovery Cooperative (Co-op) for the purpose of processing solid waste materials. This Article has an unknown estimated tax impact. The tax impact cannot be calculated until the anticipated cost savings are realized via operational savings. The Board of Selectmen supports this Article (4-1) (Selectmen Daniels opposed). *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 24 – Joining Concord Regional Solid Waste / Resource Recovery Cooperative

Ballot Question #24 as presented at the Deliberative Session is as follows:

Shall Town vote to authorize the Board of Selectman to join the Concord Regional Solid Waste / Resource Recovery Cooperative (Co-op) for the purpose of processing solid waste materials, as more-particularly described in Article 24? The Board of Selectmen supports this Article (4-1).

Chairman Tim Finan put a motion on the floor and it was seconded to place proposed ballot question for warrant article 24 on the ballot as quoted above.

Selectman Nate Carmen addressed the assembly and speaking for the majority, explained this Article gives the Board of Selectmen the authority to join the Solid Waste Cooperative. He stated there is confusion between this Article and Article 25 and explained that Article 24 covers the solid waste that is taken to the Transfer Station. Other trash such as wood and metal etc. is taken to the Transfer Station but such items are disposed of by being taken to other places. Article 24 addresses only the trash that is dumped into the trailer and which the Town of Milford pays a private vendor to haul off site. What Article 24 does is to give the Town the opportunity to look at alternative methods of disposing of this trash, one of which is the Regional Cooperative, a non-profit organization. As a non-profit it may provide a cheaper way to dispose of the trash. He stated there appears to be a concern among the voters that a private vendor may be cheaper still. The Cooperative currently has the opportunity to offer the option to the Town of Milford to join and not everybody is given this chance. One criterium is that a certain amount of trash has to be provided in order to join, and Milford has that amount. He stated approval of the article does not mean we are going to join but rather that the voters agree they would like to give the Board the authority to join. With this option it gives the chance to join and it may give the chance to discount by 10 to 20%. Without the authority to join the Cooperative we have much less negotiating power, Mr. Carmen stated. If the majority of the Board then decided it was the best opportunity to join, it does not tie the Town's hands to what is involved in Article 25 which is to join the Cooperative for its recycling. These are two separate issues and therefore two separate warrant articles, he explained.

Paul Burkhardt of the Budget Advisory Committee stated his Committee did not have enough information to vote on this, and so it does not have a position. Speaking on the article, Mr. Burkhardt stated there are a lot of concerns, one being the cost of joining the Cooperative to which Mr. Carmen responded by stating there is no cost to join. Mr.

Burkhardt's second concern was how long the Town had to be a member of the Cooperative. Mr. Carmen explained the way the contract reads as proposed, indicates we could be a member for as long as we desire. He explained the Cooperative was developed about 20 years ago and every member appears to have stayed with it, except for a few small towns which recently decided to leave because they were too small. Mr. Burkhardt questioned any penalty for leaving, to which Mr. Carmen advised there is no penalty for leaving.

Mr. Burkhardt stated the information he had received on the Cooperative is different from what Mr. Carmen had provided, and that there is a penalty for early departure. He continued that we have a set up now with the Transfer Station for disposing of trash which has been very successful, and he felt by joining the Cooperative, control would be lost.

Mr. R. Gott addressed the assembly and stated if the voters vote in the affirmative it gives the Selectmen the authority to go with the Cooperative. Mr. Carmen responded by stating that the vote is not voting to join, but rather the voters voting to give the authority to the Board for them to make the decision. Mr. Gott stated he had the impression that the Board of Selectmen believes this to be the better way, but there has been no talk as to just what that situation is. Mr. Carmen explained that if the Board really felt this was the best way then we would want to put those numbers forth, but we cannot guarantee this option. Therefore the Board would like the option to pursue this and establish if it is indeed the best option.

Mr. Gott felt the wording of the article was such that the voters would be giving the authorization to the Selectmen to join, and felt there was no way to stop this joining if Article 24 passes.

Mr. Carmen explained that if the vote is in the affirmative it does not tie the hands of the Board to join the Cooperative. Mr. Gott responded that the article by the way it is worded, does not stop the Board from entering into the agreement. It results in the town not having any other opportunity to agree or disagree with the Selectmen's decision.

Mr. Gott questioned why there is not another chance for the voters to agree or disagree with the Board after they have made the decision. Mr. Carmen explained the Board does not need the voters authorization to enter into any agreement. The Board he explained, is free to go with any vendor without going to the voters first. However, he stated the Cooperative requires the Board to take the issue to the voters before entering into any agreement with it.

Mr. Carmen called Guy Scaife, Town Administrator to the floor for further explanation. Mr. Scaife stated in the proposal for the Cooperative, the Selectmen have done the financial research and it would be a net savings for the Town to be a part of the Cooperative. He stated the Cooperative's tipping rate is currently less than what the Town's vendor charges. Mr. Scaife said the savings would be from \$6,000 to \$10,000 per year. Over the years the Town has used different vendors, he explained, to dispose of the trash, and now a new opportunity is in hand which is made up of about 18 other municipalities. The contract includes a mandate that the legislative body give the authority to the Board to sign the contract if the Board decides to join the Cooperative. There are no penalties for departure, he stated, only that notice of departure would have to be given, but the Town can get out of the contract if it so desires. Mr. Scaife stated to date it has been proven to be a lucrative proposal to the member towns. He stated the authority of this article does allow the Board a better opportunity with the Cooperative but the Board is also in negotiations with other organizations that may be even better. He stated the Cooperative has been in existence for 25 years and this is the first time it has been in a position to add new members. This chance to join is available for only a short period of time because other towns are also considering taking this opportunity and only so many can be members at any one time.

Mr. Scaife said if the voters vote against this article then the Board has no chance to investigate this proposal which may be better than others. He assured the assembly that the Board has done many months of research and it appears that the Cooperative is economically viable based on today's rates.

In answer to a question from Mr. Gott, Mr. Scaife said the Cooperative's contract is no different from the contract we currently have with Solid Waste Management which is the vendor the Town currently uses. He explained that by going with the Cooperative there would be no impact on the citizens as to how they would have to handle their solid waste. He noted that the Town will still use Solid Waste Management to haul the trash to the Cooperative in Concord. The article involves how solid waste is disposed of and it is granting the Selectmen the authority to join the Cooperative if they so elect, this authorization being the requirement of the Cooperative.

In answer to Mr. Gott's question as to what is changing, the Moderator stated the Board has the authority to enter into contracts on its own, but the Cooperative's contract requires the Board to receive authority from the voters prior to entering into their contract.

Selectman Daniels moved an amendment in that the word "not" be added immediately prior to the word "vote". It was seconded. Mr. Daniels addressed the assembly and stated the minority of the Board of Selectmen opposed this article for several reasons. He stated we have had mandatory recycling and the goal was to reduce solid waste. If the Cooperative contract is signed, the Town will be required to deliver a minimum amount of solid waste and if it does not deliver that minimum there will be a penalty. He continued if the Town delivers too much, there will also be a penalty. He stated the minority questions the logic of authorizing the Board of Selectmen to sign a contract that is going to guarantee a minimum amount to be delivered at the same time that the Town's goal is to reduce the trash. He explained that part of the contract involves the Single Stream Recycling facility, and the Board has been advised solid waste and single stream recycling are separate issues. However in the contract it states that once Single Stream Recycling is delivered to the Cooperative, the commitment of a municipality to the Single Stream Recycling will be irrevocable. Mr. Daniels stated if the voters approve Article 24 it is also giving the Board the authority to get into single stream recycling without coming back to the voters for their opinion. Mr. Daniels continued that if the two issues are separate then the minority opinion also objects to the Single Stream Recycling being mentioned in a solid waste contract. He therefore felt Article 24 should be defeated.

Rodny Richey spoke personally against the proposed amendment for inserting the word "not" because it appears to change the intent of the article. The Moderator responded that it is a legal amendment that is being proposed because the subject matter remains unchanged.

Town Counsel, in response to the Moderator's statement, confirmed the proposed amendment is legal.

Robert Courage, Chairman of the Water and Sewer Commission and past Director of the Department of Public Works spoke in support of the amendment because when the Transfer Station was built in 1980, a contract for hauling trash away included a provision for penalty if the Town did not meet certain tonnage requirements. This, he stated became a problem in a 5 year contract. The Cooperative also places restrictions in that a certain amount has to be sent in order to avoid a penalty.

Mr. Courage expressed concern that Articles 24 and 25 have zero dollar amounts but he noted that before the Transfer Station can gear up for the new mode of operation money is going to be required. He felt there were too many conditions in this Cooperative contract for it to benefit the Town.

Tim Finan, Chairman of the Board of Selectmen explained that the Cooperative runs the Single Stream facility. If the Town joins the solid waste, it becomes a member of an organization that runs the single stream facility. The Board, he explained, questioned what would happen if the Town joined the solid waste and not the single stream, and were advised that such an arrangement would be in order. If this were to be the case, he stated, there were conditions in the contract that would have to be addressed and he felt this would be possible because contracts can be changed. Mr. Finan stated the reason for offering two warrant articles was so that the voters could be questioned on both issues separately.

Mr. Gott addressed the assembly and asked for a definition of single stream to which Mr. Finan responded that in single stream all recyclables are put together and it is then separated at the Concord facility. This includes, he stated, mixing glass, plastic, cardboard etc. together instead of having to separate out these items as is now required at the Transfer Station. Mr. Finan stated if the Town was to join the Single Stream, it would be because it is cheaper.

Selectman Bauer addressed the assembly and stated that were the Town to go to single stream, a lot of items that are now considered trash, would be recycled.

Guy Scaife addressed the assembly and stated if this Article results in a tax impact, it would be a lowering of taxes because the rates quoted have been less than what the Town is now paying for solid waste removal. He added that it was stated earlier that the Town would be penalized if it shipped less tonnage than stipulated and also if it shipped more. He stressed there is no penalty for more or less than the minimum amounts. He explained each member town is required to commit a certain amount of trash each year and each year there is the option to increase that amount. He explained that each year the goods delivered to the Transfer Station has shown an increase in the recyclable component far greater than the increase in solid waste. He stated the Cooperative does not require towns to commit to what the historical maximum has been. For the towns which joined initially, he stated, there has been a significant savings, and from this history Milford anticipates savings. Mr. Scaife stressed that this all refers to the solid waste component. It concerns how it is disposed of after it is received at the Transfer Station and not how the individual has to handle it.

Selectman Nate Carmen explained that the reason there is no tax impact in Article 24 is because there is no impact for authority. By voting in the affirmative, the voters are only giving the Selectmen the authority to look at the contract and to decide if they deem it to be the best option, he explained.

In answer to a question from Mr. Bertram Becker regarding whether or not the Cooperative makes a profit, it was explained by Mr. Scaife that the Cooperative has a contract with Solid Waste Management which then burns the trash to generate electricity, and each year the rates are adjusted accordingly. History has shown the rates to be consistently lower than municipalities have experienced when disposing of their trash through for-profit companies. Mr. Scaife also stressed that if the Cooperative was not a good deal other towns which have been members for 25 years would not still be members, and the Cooperative would no longer exist.

After considerable further discussion, a motion was put on the floor to call the question. It was seconded and voted in the affirmative.

Returning to the proposed amendment to insert the word "not" into the article, and there being no further discussion or comments, the Moderator called for a vote. The amendment failed as shown by a count of green cards.

Peg Seward of the Budget Advisory Committee proposed an amendment that Article 24 should read so as to encourage the Selectmen to negotiate better prices for disposal of solid waste with consideration of joining the Solid Waste Cooperative, should that case be the best for the Town.

Selectman Finan requested that Ms. Seward include the word "authorize" in her amendment.

Town Counsel Drescher addressed the assembly and explained that a point needs to be made in that the statute currently allows the Board of Selectmen to enter into Cooperative agreements for solid waste or recycling without the authority of Town Meetings. He stated the reason this article is before this meeting is because the Cooperative is insisting that the Board obtain the authority of the voters to enter into their contract. He stated the proposed amendment should identify this Cooperative as the "Concord" Regional Solid Waste Resource Recovery Cooperative.

The Moderator stated the current proposal is to replace the first sentence of Article 24 with "To see if the town will encourage the Board of Selectmen to negotiate better pricing for disposal of solid waste and authorize them to join the Concord Regional Solid Waste Resource Recovery Cooperative should that choice be the best choice for the town". It was seconded.

After further discussion and there being no more discussion the Moderator called for a vote on the amendment as stated above.

The amendment passed.

Town Counsel Drescher addressed the assembly and stated in order to render the amendment into the warrant article form, he wished to offer an editorial textual change as follows:

"To see if the town will vote to encourage the Board of Selectmen to negotiate better pricing for disposal of solid waste and authorize them to join the Concord Regional Solid Waste Resource Recovery Cooperative should that choice be the best for the town".

The Moderator received the approval of the Town Meeting for this change of language.

There being no further discussion, the Moderator instructed the Town Clerk to place Article 24 as amended on the ballot.

Article 24 as amended is as follows:

To see if the Town will vote to encourage the Board of Selectmen to negotiate better pricing for disposal of solid waste and authorize them to join the Concord Regional Solid Waste Resource Recovery Cooperative should that choice be the best choice for the town. The article has an unknown estimated tax impact. The tax impact cannot be calculated until the anticipated cost savings are realized via operational savings.

Ballot Question 24 as amended is as follows:

"Shall the town vote to encourage the Board of Selectmen to negotiate better pricing for disposal of solid waste and authorize them to join the Concord Regional Solid Waste Resource Recovery Cooperative should that be the best choice for the town as more particularly described in Article 24?"

(See discussion on Town Counsel's refined language for Article 24 which followed the discussion on Article 25 below in these Minutes).

The results of the official ballot voting at the Elective Session on Article 24 as amended is as follows:

YES: 1284 NO: 599

Article 24 as amended was voted in the affirmative.

ARTICLE 25 - JOINING SINGLE STREAM RECYCLING CO-OP - \$0

Article #25 as presented at the Deliberative Session is as follows:

To see if the Town will vote to authorize the Board of Selectman to join the Concord Regional Solid Waste / Resource Recovery Cooperative (Co-op) for the purpose of processing recyclable materials via single stream recycling. This Article has an unknown estimated tax impact. The tax impact cannot be calculated until the anticipated cost savings are realized via operational savings. The Board of Selectmen supports this Article (3-1) (Selectman Daniels opposed). *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 25 – Joining Single Stream Recycling Co-op

Ballot Question #25 as presented at the Deliberative Session is as follows:

Shall the Town vote to authorize the Board of Selectman to join the Concord Regional Solid Waste Resource Recovery Cooperative (Co-op) for the purpose of processing recyclable materials via single stream recycling, as more-particularly described in Article 25? The Board of Selectmen supports this Article (3-1).

Chairman Tim Finan moved that the proposed ballot question for Article 25 be placed on the ballot as above. It was seconded.

Selectman Nate Carman speaking for the majority of the Board stated this article asks for the authorization to review a contract proposed with the Cooperative. He reiterated that the Selectmen do not need the voters to grant this authority to enter into the Cooperative contract or any other contract. He stressed it is the Coop that insists this authorization be obtained from the voters.

He explained that entering into a contract for single stream recycling will mean there will be a difference in what the citizen does when he takes recyclables to the Transfer Station. By joining the Single Stream Recycling Cooperative it will make it easier for the citizen, he explained because recyclables will not have to be separated out as they do now. He noted the Board will still have the opportunity to review private vendors who may approach the town for this service.

Mr. Gott addressed the assembly and again requested clarification of why the Cooperative insists the voters give the Board of Selectmen the authority to sign this contract when that Board already has such authority. Selectman Finan responded by stating he did not know the answer but he felt it was because the Cooperative wanted to have the input of the public in order to be assured that the voters were behind this decision to join.

Paul Burkhardt of the Budget Advisory Committee stated that one load of recyclables as the town now operates provided \$1500.00. He stated that the town currently has income from recyclables and it can either maintain this or pay somebody to haul it away and let somebody else make the profit.

Mr. Gott then questioned who makes the judgment as to whether or not the Town is over or under in the trash it delivers and whether or not a penalty is paid. Guy Scaife responded by stating that regardless of the type of material delivered to the Cooperative it is all weighed.

Vice Chairman Gary Daniels moved to add the word "not" after the word "vote". It was seconded. He stated that in 2010 \$143,000 was generated from recycling that went back into the general fund. Of this amount it appears that over \$50,000 was generated from materials pertaining to recyclables. Now we are being asked by this warrant article, he stated, to give up funds from recycling so that we can gamble the tax payers money by investing in a recycling facility that is not yet built. Under the Obligations of Municipalities in the contract, it states once delivered to the Cooperative the commitment of a municipality to Single Stream Recycling shall be irrevocable, he stated. He continued that Milford has invested money in its recycling, which has set the Town's recycling far beyond those who have joined the Coop. If it joins the Single Stream Recycling, it would most likely dispose of the equipment it now has for recycling and thus eliminate the possibility of returning to its own recycling, should the Coop fail or if the Town is dissatisfied with the Coop and were somehow able to terminate its membership. Mr. Daniels stated that of equal concern is that the Single Stream Recycling is a natural step towards curb-side pick up and such a program would significantly increase tax payer costs. For these reasons, Mr. Daniels stated the minority feels that the Town should continue to run its own recycling program. He stated it has a good and profitable program now and felt the Town should stay with it.

Selectman Tim Finan addressed the assembly and stated the Board of Selectmen would not enter into a contract unless it felt the Town could save money.

Selectman Nate Carmen pointed out that the contract for Single Stream is different from that for solid waste and the Board does not need authorization from the Town to join the Single Stream Coop but this article is seeking that authorization because the Selectmen want to know what the Town desires. Once a contract is formed, he stated, then it can be taken to the public for input and can be negotiated with the Coop for Single Stream Recycling. He stressed this article has nothing to do with the Solid Waste contract.

Dawn Griska addressed the assembly and stated with Single Stream Recycling the Town will have a broader basis to be able to process multi-family recycling which is currently very limited in the way it is handled. She questioned how much tonnage would be created if these dwellings were to be incorporated into the process and would this tonnage bring this matter to a good fiscal decision and a good recyclable decision.

Selectman Daniels responded that part of his concern is that we have these multi-family places where we are not enforcing mandatory recycling, so we would have a potential to increase the recycling revenue. He noted if the Town gets into Single Stream and adds plastics #3 through #7, we will again be reducing our solid waste. He noted he has also found that there is no market now for the #3 to #7 group.

Ms. Griska raised the issue that most of the multi-family buildings have their trash removed by private trash collectors who do not currently have the ability to handle Single Stream Recycling. If the Town goes with Single Stream, she stated, it would put a burden on local businesses who would have to expand their ability to handle multiple recycling.

Rodny Richey of the Budget Advisory Committee addressed the assembly and explained that in both hauling situations the trash goes to the incinerator. He added that the Town expects haulers to do recycling. He noted that currently the Transfer Station accepts contaminated loads that do include recyclables and which all goes into the trash at the present time.

Selectman Michael Putnam addressed the assembly and stated he was not in favor of the recycling partly because it is tied to a 15 year contract. He stated he is in favor of recycling but not the 15 year contract.

Guy Scaife, Town Administrator, addressed the assembly and stated this amendment as proposed prevents the public from making a decision between Single Stream and the method used now at the Transfer Station for recycling. He also explained that the market for recycled matter fluctuates with 2010 bringing in about \$55,000 but the year before it only brought in about \$20,000. Mr. Scaife stated the Board of Selectmen investigated the expenses involved in the current system and it was found to be high. In addition there are many types of plastics that the Town cannot recycle and this becomes solid waste. It was found there would be a net savings of \$12,000 to \$20,000 most years were the Town to go with Single Stream. He stated this would include reducing part time labor at the Transfer Station. Electrical costs would be reduced, and such like. By going with Single Stream, he noted, the study done by the Selectmen found that this method would allow the Town to include multi-family in recycling. He also noted that Single Stream would result in a financial gain as proven by the study the Board did.

Selectman Tim Finan raised the issue of the 15 year contract and stated this only applies if the Town is an associate member which means it is not a member of the Coop. If the Town was to join the Coop and did Single Stream Recycling, this 15 year issue would not apply.

Paul Burkhardt of the Budget Advisory Committee questioned if the amendment is not supported, what impact will it have on employees at the Transfer Station to which Mr. Finan responded that the warrant article seeks authority to sign the contract, but does not make it mandatory that it be signed. Therefore he did not have an answer to Mr. Burkhardt's question. Mr. Finan noted the effect on the employees would be considered when the time comes to make the decision whether or not to sign the contract.

The Moderator summarized Mr. Burkhardt's question by stating if the contract is signed would the employees loose their jobs. Mr. Scaife responded by explaining the hours of part time labor would be reduced. He added there would be a reduction in hours of part time workers but no full time employees would be terminated.

Janet Langdell addressed the assembly and questioned if, in order to join the recycling Coop, would there be a requirement to pass a warrant article which would give the Selectmen the authority to review this contract. Mr. Scaife explained the Solid Waste Coop will be the parent of a yet to be built Single Stream facility. The Coop allows towns to join as associate members. This means if the town is not a Solid Waste Coop charter member then it allows the town the option of joining as an associate member of the Single Stream. He explained this debate going on now is allowing the Board the authority to join as an associate member. If the Town does not have the authority to be a charter member of the overall Coop which is the solid waste parent company, then by considering the matter in this light, it may reduce some of the confusion in this discussion. Article 25 gives the voters the opportunity to convey to the Selectmen whether or not they support the Single Stream concept, he explained. He added that if the voters support Single Stream, the Town still has the option of going single stream with some other vendor if that is found to be cheaper.

In an attempt to eliminate the existing confusion, Mr. Scaife stated if Article 24 is ignored and Article 25 only is considered, the wording of Article 25 is found to have been designed for an associate member which by definition means the Town would have no relationship with the Solid Waste issue. Such a situation does require the authorization from the voters, he stated.

There being no further discussion on the amendment, the Moderator called for a vote on the amendment by a show of cards.

The amendment failed.

Returning to the Warrant Article as originally written, the Moderator called for any other questions or discussion.

There being none, he instructed the Town Clerk to place Warrant Article 25 on the ballot as originally worded.

The results of the official ballot voting at the Elective Session on Article 25 is as follows:

YES: 1237 NO: 648

Article 25 was voted in the affirmative.

Note: Below is Town Counsel's language refinement discussion on Article 24, which was provided by him after discussion on Article 25:

Before progressing to Warrant Article 26, Town Counsel Drescher addressed the assembly regarding Warrant Article 24 and stated he wished to offer a refinement in the language of Article 24 in order to ensure it was legal. Town Counsel stated his concern was that an amendment was adopted which amendment began with wording that this warrant article "encourages". He noted such wording prevented this article from having the correct warrant article format. He put forward a change and wanted to ensure that all who voted on it are acceptive of the change. He stated the original warrant article stated: "To see if the town would vote to authorize the Selectmen to join the Concord Regional Solid Waste Resource Recovery Cooperative for the processing of solid waste materials". The hand-written proposed amendment reads: "This warrant article encourages the Board of Selectmen to negotiate better pricing for the disposal of solid waste and authorizes them to join the Concord Regional Solid Waste Resource Recovery Cooperative should that choice be the best choice for the town". The amendment, he stated was approved and the amendment would have to read: "To see if the Town will vote to encourage the Board of

Selectmen to negotiate better prices for disposal of solid waste and authorize them to join the Concord Regional Solid Waste Resource Recovery Cooperative should that choice be the best choice for the Town”.

He asked for a vote on this wording so that the Town Clerk could put the correct wording on the ballot.

It was moved and seconded to accept the language that Town Counsel Drescher proposed to clarify the language of Article 24. It was so moved.

Note: The wording as provided immediately above is quoted identically under Article 24 as amended.

ARTICLE 26 -TOWN FOREST LANDS – TUCKER BROOK TOWN FOREST - \$0

Article #26 as presented at the Deliberative Session is as follows:

To see if the Town will vote to establish Map 40 Lot 16 as on the 2010 tax map (part of Map 40 Lot 14 as per the March 31 2008 Voluntary Lot Merger), as town forest land pursuant to the provisions of RSA 31:110 through 113, and to designate this land as part of the Tucker Brook Town Forest, or take any other action relative thereto; said lot having been conveyed to the Town of Milford by deed recorded in the Hillsborough County Registry of Deeds in Vol. 2842 Pg. 767, dated May 5 1981 (This is a housekeeping issue, said lot having been erroneously omitted from the 1987 Town Meeting for such classification). The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0). *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 26 –Town Forest Lands – Tucker Brook Town Forest

Ballot Question #26 as presented at the Deliberative Session is as follows:

Shall the Town vote to establish Map 40 Lot 16 as on the 2010 tax map (part of Map 40 Lot 14 as per the March 31 2008 Voluntary Lot Merger), as town forest land pursuant to the provisions of RSA 31:110 through 113, and to designate this land as part of the Tucker Brook Town Forest, or take any other action relative thereto; said lot having been conveyed to the Town of Milford by deed recorded in the Hillsborough County Registry of Deeds in Vol. 2842 Pg. 767, dated May 5 1981 (This is a housekeeping issue, said lot having been erroneously omitted from the 1987 Town Meeting for such classification)? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0)

Tim Finan moved that the proposed ballot question on article 26 be placed on the ballot as quoted above. It was seconded.

Mr. Finan advised the assembly that this is a housekeeping matter.

There being no discussion or questions the Moderator instructed the Town Clerk to place Warrant Article 26 on the Ballot as originally worded.

The results of the official ballot voting at the Elective Session on Article 26 is as follows:

YES: 1617 NO: 275

Article 26 was voted in the affirmative.

ARTICLE 27 - TOWN FOREST LANDS – MAYFLOWER HILL TOWN FOREST - \$0

Article #27 as presented at the Deliberative Session is as follows:

To see if the Town will vote to rescind the vote on Article 15 of the March 11, 2008, Town Meeting and vote instead to establish as town forest land, in accordance with RSA 31:110 through 31:113, Town-owned parcels Map 9 Lots 1, 1-38, 1-39 and 1-40, identified as open space on the plan entitled "Lot Consolidation/Subdivision, Patch Hill, Prepared for Patch Hill Development LLC" and recorded in the H.C.R.D. as Plan 32772, and to consolidate Parcel 9-1-38 with Map 8 Lot 92, which is the Mayflower Hill Town Forest. Map 9 Lots 1, 1-39 and 1-40 do not abut Map 8 Lot 92 and shall remain under their original identification, though they form part of the Mayflower Hill Town

Forest (This is a housekeeping issue, said lots having been erroneously merged following the affirmative 2008 Town Meeting vote). The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0). *This Article has an estimated tax impact of \$0.00 (\$0.00 on a home valued at \$100,000).*

Ballot Question 27 - Town Forest Lands – Mayflower Hill Town Forest

Ballot Question #27 as presented at the Deliberative Session is as follows:

Shall the Town vote to rescind the vote on Article 15 of the March 11, 2008, Town Meeting and vote instead to establish as town forest land, in accordance with RSA 31:110 through 31:113, Town-owned parcels Map 9 Lots 1, 1-38, 1-39 and 1-40, identified as open space on the plan entitled "Lot Consolidation/Subdivision, Patch Hill, Prepared for Patch Hill Development LLC" and recorded in the H.C.R.D. as Plan 32772, and to consolidate Parcel 9-1-38 with Map 8 Lot 92, which is the Mayflower Hill Town Forest. Map 9 Lots 1, 1-39 and 1-40 do not abut Map 8 Lot 92 and shall remain under their original identification, though they form part of the Mayflower Hill Town Forest (This is a housekeeping issue, said lots having been erroneously merged following the affirmative 2008 Town Meeting vote)? The Board of Selectmen supports this Article (5-0). The Budget Advisory Committee supports this Article (8-0).

Tim Finan moved and it was seconded to place Warrant Article 27 on the Ballot as above.

There being no questions or discussions, the Moderator instructed the Town Clerk to place Warrant Article 27 on the Ballot as worded above.

The results of the official ballot voting at the Elective Session on Article 27 is as follows:

YES: 1617 NO: 275

Article 27 was voted in the affirmative

ARTICLE 28 - JOINT SERVICES STUDY COMMITTEE – BY PETITION

Article #28 as presented at the Deliberative Session is as follows:

To direct the Moderator to create a "Joint Services Study Committee" charged with reviewing the services currently delivered separately by the Town and Milford School District and determining the service(s) that will be less costly, and more effective and efficient, when combined into one unit that delivers the service(s) to both government organizations. The committee membership is to include one Selectman, one School Board member, one Town Budget Committee member, one School Budget Committee member, one Town finance department employee, one School District finance department employee and three individuals from the community at large. The committee chairperson will be one of the three community members. The "Joint Services Study Committee" must deliver a report of its findings to the Board of Selectmen and the School Board no later than October 28, 2011 so its recommendations may be incorporated into the March 2012 budget proposals.

Ballot Question 28 - Joint Services Study Committee – By Petition

Ballot Question #28 as presented at the Deliberative Session is as follows:

Shall the Town vote to direct the Moderator to create a "Joint Services Study Committee" charged with reviewing the services currently delivered separately by the Town and Milford School District and determining the service(s) that will be less costly, and more effective and efficient, when combined into one unit that delivers the service(s) to both government organizations as more-particularly described in Article 28?

The Moderator advised the assembly that prior to discussion on Warrant Article 28, he would be stepping down from the podium because he is one of the petitioners of this petition Article.

The Assistant Moderator, Joe O'Neail stepped to the podium.

Chairman Tim Finan moved and it was seconded to place Warrant Article 28 on the Ballot as printed above.

Selectman Nate Carmen put a motion on the floor to amend this Article, said amendment being to move the time frame out by one year on this Article in order to complete the study. He clarified the amendment by stating that where it states "...findings to the Board of Selectmen and the School Board no later than October 28 2011..." the date should read "October 28 2012", and where it stated "... may be incorporated into the March 2012 budget proposals", it should read "March 2013 budget proposals". The motion was seconded.

Peter Basiliere addressed the assembly and stated the purpose of this petition warrant article is to resolve the issue of the School and the Town running out of cash on hand to meet expenses via a tax anticipation note. He explained that the Town sends funds over to the School District for it to meet its large payroll. He stated the petition proposes that some of the organizations within the Town and School District should be treated as one. They provide a common service to both. He gave examples such as Buildings and Grounds and also Public Works. Information technology could also be included. He stated there are a lot of areas where both government bodies do the same thing. He suggested that the School Board and Board of Selectmen should get together and find what it would take to have one organization bill the other for services provided. He felt it would be more efficient, more effective, more productive and would have greater cost savings. He stated he was not in favor of postponing the issue for a year.

He said the idea is to have a study committee formed which would come back in March 2012 and advise the voters which of these areas could be combined, what issues would have to be faced, and how the next step would be handled because of the fact that the Town and the School District have different budget years. He stated he expected a report from this committee advising whether or not this is the right thing to be done. He hoped that by next town meeting enough facts and figures would be available to decide what the next step should be.

Selectman Michael Putnam addressed the assembly and stated he did not feel the added year would be a problem because it is meant to give the committee a little more time, rather than it postponing the final decision.

Selectman Finan addressed the assembly and stated he did not support the amendment because it would only serve to postpone what he felt was a great idea.

Paul Burkhardt of the Budget Advisory Committee stated he agreed with Mr. Finan and supported Mr. Basiliere's original proposal.

There being no further discussion or questions, the Assistant Moderator called for a vote on the amendment. The amendment lost by a show of cards.

There being no further discussions, the Assistant Moderator instructed the Town Clerk to place Article 28 on the ballot as originally written above.

The results of the official ballot voting at the Elective Session on Article 28 is as follows:

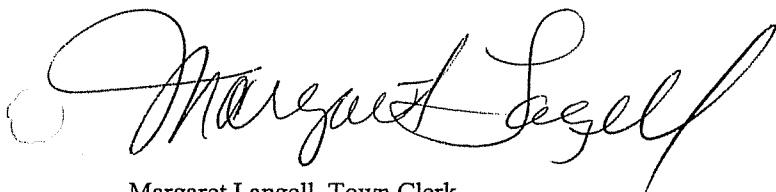
YES: 1362 NO: 486

Article 28 was voted in the affirmative.

ARTICLE 29 – END OF MEETING

To transact any other business that may legally come before this meeting.

The Moderator requested of the assembly if there was any other business to come before this meeting, and hearing none he adjourned the Town Meeting at 6p.m.



Margaret Langell, Town Clerk.

