

5:00 p.m. – Non Public

– RSA 91-A:3 II (c) Reputation

Memorandum

To: Board of Selectman
From: Marti Noel, Assessor
Date: 7/9/2018
Re: Veterans Credit – For Approval (1)

The following list, as a matter of public record has applied for the Standard Veterans Tax Credit RSA 72:28 for tax year 2018. I have reviewed this application along with the supporting documentation and am recommending that the selectman **approve** the following list of qualified veterans. This will need the PA-29 signed.

The property owner has lived in another town in NH for many years prior to recently moving to Milford. The owner mis-understood the filing deadline to transfer the Veteran's Credit here, and asks the BOS to accept the late filed documentation. Statute does allow for acceptance of late filed applications based on "accident, mistake, or misfortune":

RSA 72:33 I-a. If any person, otherwise qualified to receive an exemption or credit, shall satisfy the selectmen or assessors that he or she was prevented by accident, mistake, or misfortune from filing a permanent application or amended permanent application on or before April 15 of the year in which he or she desires the exemption to begin, said officials may receive the application at a later date and grant an exemption or credit for that year; but no such application shall be received or exemption or credit granted after the local tax rate has been approved for that year.

Map/Lot	Address	Veteran/Property Owner(s)	Amount	Date Received
8/52-1C-4	5 Hutchinson Dr	Trent Smith	\$300	7/28/2018

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
KEVIN FEDERICO		7/9/2018
GARY DANIELS		7/9/2018
MIKE PUTNAM		7/9/2018
LAURA DUDZIAK		7/9/2018
PAUL DARGIE		7/9/2018

Memorandum

To: Board of Selectman

From: Marti Noel, Assessor

Date: 7/9/2018

Re: Veterans Tax Credit – Application in spouse's name after death of Veteran who is receiving the Veterans Tax Credit-For Approval (1) Please sign PA-29 also.

The following list, as a matter of public record will have a change in application name. A widow or widower is entitled to continue receiving benefits of a qualified veteran. I have reviewed this application along with the supporting documentation and am recommending that the selectman **approve** the following changes based on the RSA listed below.

72:28 Standard and Optional Veterans' Tax Credit. –

IV. The following persons shall qualify for the standard veterans' tax credit or the optional veterans' tax credit:

(a) Every resident of this state who served not less than 90 days in the armed forces of the United States in any qualifying war or armed conflict listed in this section and was honorably discharged or an officer honorably separated from service; **or the spouse** or surviving spouse of such resident;

Map-Lot	Address	Spouse	Amount	Date Received
53/15	164 Federal Hill Rd	Lillian Nelligan	\$300.00	6/21/2018

SELECTMEN PRINTED NAME	SELECTMEN SIGNATURES OF APPROVAL	DATE
KEVIN FEDERICO		7/9/2018
GARY DANIELS		7/9/2018
MIKE PUTNAM		7/9/2018
LAURA DUDZIAK		7/9/2018
PAUL DARGIE		7/9/2018

To: Board of Selectman

CC: Mark Bender, Town Administrator

From: Claudia Lemaire, Milford Parks & Recreation Commission
Chairman

Date: June 22nd, 2018

Subject: Milford Parks & Recreation Commission Board request for two
new alternates.

On behalf of the Milford Parks & Recreation Commission Board, I
am requesting the Board of Selectman consider the following two
alternate members.

Zach Williamson as an alternate member, with a term expiring
March 2021.

John Murphy as an alternate member, with a term expiring March
2021.

Thank you for your consideration.

Zachary Williamson
20 Riverview St. • Milford • NH • 03055

June 28, 2018

Parks and Recreations Commission
ATTN: Claudia Lemaire, Chair - claudiarek@gmail.com
Arene Berry, Recreational Director - aberry@milford.nh.gov
1 Union Square
Milford, NH 03055

Dear Claudia:

Please accept this letter in application for the Parks and Recreation Committee's available alternate position. I learned of this position from my wife, Kierstyn Williamson.

For the past three years, I have been working at a Manufacturing Engineering company called GS Precision as a Setup Operator. I have a varied background in outdoor landscaping, machine operating and group leadership. I have worked with all age groups, have accepted increasing levels of responsibility and am always ready to tackle new challenges. At my previous position, I was working for Saints Landscaping as a Skilled Laborer for nearly three years.

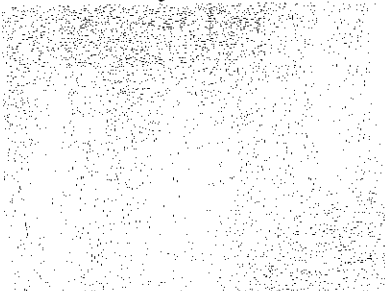
Along with my wife, I have also assisted in organizing the Milford NH Dog Park Association Inc. non-profit organization in the hopes of raising enough funds to build a dog park in Milford, NH. I have also been assisting the Recreation Commission at various events including Santa's Breakfast, the Bike Rodeo and helping with the Ice Rink over the winter.

Given the combination of the above highlighted experience and competencies, I believe I am a resourceful and professional candidate who can prove to be a highly valuable member of the town's Parks and Recreation Committee.

Thank you for your time and consideration.

Sincerely,

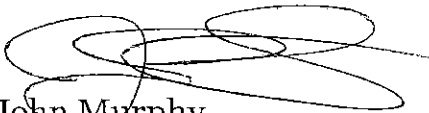
Zachary Williamson



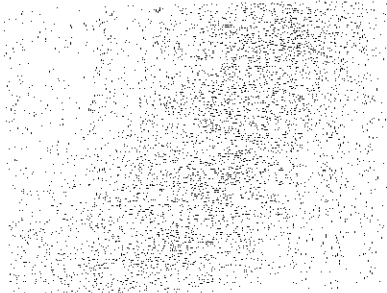
June 5, 2018

The purpose of this letter is to express my interest in being considered for the open alternate position on the Milford Recreation Commission. Our family has been a resident of Milford for the past 11 years. During that time we have had the opportunity to participate in many of the programs run by Milford Recreation Department. Since my job now allows me to work from home two days a week I believe I have the time to volunteer to support many of the programs that our family has enjoyed over the years. I am available to come to the next meeting Wednesday June 13, 2018.

Thank you for your consideration

A handwritten signature in black ink, appearing to read "John Murphy", with a large, stylized flourish extending from the end of the signature.

John Murphy
Christmas Tree Lane
Milford NH



5:45 p.m. - Milford Jr. Spartans
Football Program – **William Lane**
Verbal

4. a) 1) Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b)).

Board of Selectmen
Agenda Date: 7/9/18

Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))

Source	Amount	Purpose
HealthTrust	\$ 100.00	Donation to the Milford Administration Department for the Town Wellness Campaign Special Purpose Fund. See attached memo.

Acceptance of Gifts of Property Under \$5,000 (31:95(e))

None at this time.

TO: BOARD OF SELECTMEN
CC: MARK BENDER
FROM: TINA PHILBRICK
SUBJECT: COORDINATOR REWARD MONEY
DATE: June 22, 2018



Please accept a check to the Town Wellness Committee in the amount of \$100 from Health Trust for exceeding last year's Employee Health Assessment signup goal. Please deposit the check into the Town Wellness account number 48274.

Sincerely,

Tina M. Philbrick

**PROCEDURE AGREED TO BY MILFORD BOARD OF SELECTMEN
IN RESPONSE TO RSA 79:10(1)(b)**

RSA 79:10(1)(b) will become effective on September 1, 2018, requiring that an “Intent-To –Cut” Timber be signed by the assessing officials (if all conditions for approval have been met) within 15 days.

By our signature below, we agree that in order to meet the 15 day criteria The Board of Selectmen give authority to the Milford Assessor to sign an "Intent-To-Cut" **if:**

- a.) the Board does not have a regularly scheduled meeting within that 15 day time period, and
- b.) a majority of Board Members will not be available to come in independently and sign the “Intent” outside of a regularly scheduled Board meeting, as allowed within the statute.

As required, a public notice must still be posted in the two places where the municipality regularly posts notices of its governing body meetings.

Any such action necessitated outside a regular meeting will also be noticed at the next regularly scheduled meeting.

Kevin Federico, Chairman Date

Gary Daniels, Vice Chairman Date

Mike Putnam, Member Date

Laura Dudziak, Member Date

Paul Dargie, Member Date

4 a) 3



TOWN OF MILFORD, NH
OFFICE OF COMMUNITY DEVELOPMENT

1 UNION SQUARE, MILFORD, NH 03055

TEL: (603)249-0620

WEB: WWW.MILFORD.NH.GOV

Date: June 25, 2018
To: Board of Selectmen
Mark Bender, Town Administrator
From: Lincoln Daley, Community Development Director (LD)
Subject: Full release of securities for Walnut Street Extension – Phase I

At the request of the Developer, Kokko Builders, Inc. and upon review by the Community Development Office and Rick, Riendeau, Director of Public Works, we respectfully request the authorization of the Board of Selectmen to release the remaining security being held for the Phase I portion of Walnut Street subdivision. All work pertaining to roadway construction and related drainage structures has been completed and previously accepted by Board of Selectmen at the June 11, 2018 meeting.

This request would release the remaining \$17,136.70 (includes accumulated interest) in the cash escrow account.

Thank you in advance for your attention to this matter.

Town Status Report – July 9, 2018

Dog Park Options – As requested by the selectmen, staff met to discuss location options for a dog park. The discussion was fruitful and about 10 public and private property options were initially reviewed. After additional discussions and conversations with some land owners we reduced the list to the final top 3 for Board consideration. The locations include undeveloped property behind Brookside Manor, town owned land between Souhegan Street and the river and the Perry Road lot previously discussed. Your packets include a comparative site evaluation table and specifics about each location. Lincoln Daley, Arene Berry, Kierstyn and Zach Williamson are here to provide a brief overview of each location and take questions.

DPW Roof Issues – The DPW garage roof dates to 1991 – 27 years old and is in need of repair. There are many leaks especially around the edges where we have significant rot. The insulation gets wet during rain storms and snow melt, reducing its effectiveness and possibly leading to mold in the future. We had three companies inspect and quote pricing for recommend solutions. Best approach is to install filler along perimeter to eliminate the rot, wood blocking to level roof, and polyiso insulation over the existing roof and then install a Carlisle rubber roof membrane with an aluminum drip edge. Finished product would have a 20 year warranty. Best price is just under \$76,000 and was included in the Purchased Services – Contractual Buildings Budget of \$125,600. We are requesting board authorization to move forward with the repair.



OFFICE OF COMMUNITY DEVELOPMENT
Dog Park Facility - Location Study

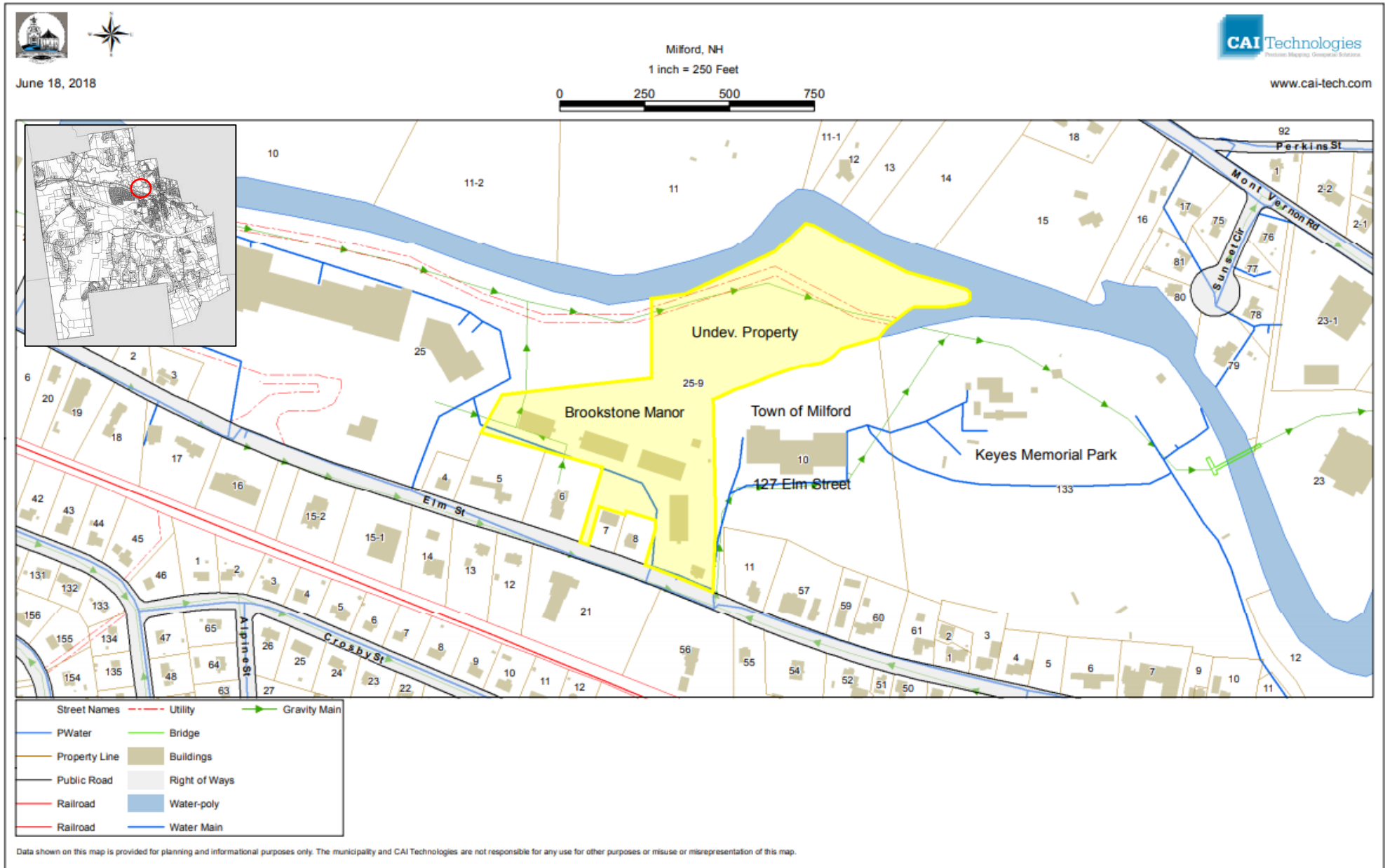
SITE EVALUATION TABLE



	SITE 1	SITE 2	SITE 3
SITE NAME	Brookstone Manor	Souhegan Street / Downtown	Brox Industrial / Perry Road
LOCATION	135 Elm Street	O Souhegan Street	0 Perry Road
MAP/LOT	019-025-009	026-110-000	038-005-000
PROPERTY OWNER	Arbor Brookstone LTD Partnership	Town of Milford	Town of Milford
CURRENT USE	Multi-Family Apartment Complex	Undeveloped /Wooded	Undeveloped /Wooded
ADJACENT USES			
NORTH	Souhegan River, MCAA Fields (Map 8, Lot 11), Offices, Residential Properties	Directly abuts single- and multifamily residences.	Residential, Industrial, Commercial uses.
SOUTH	Residential, Mixed-Use, Commercial Uses	Souhegan River and single- and multifamily residences.	Undeveloped industrial properties both TOM owned and privately owned.
EAST	Town of Milford 127 Elm Street Property	Souhegan River and single- and multifamily residences.	Hendrix Wire - industrial property (primarily undeveloped).
WEST	Granite Town Plaza, Commercial, Mixed-Use	Commercial property	Partially developed industrial properties.
ACCESS/ ACCESSIBILITY	Multi-Family Apartment Complex is accessed from driveway on Elm Street. Utility access easement from Granite Town Plaza to rear of subject property.	Existing Access way off of Souhegan Street.	Perry Road - Class VI roadway.
RESIDENTIAL PROXIMITY	120 feet north from the edge of the Souhegan River bank	Directly abut single- and multi-family residences.	Approx. 1,000 feet from single-family residences to the north and south-east.
SITE FEATURES			
PARCEL SIZE	Total parcel 12.05 acres. Of interest is the rear 6 acres / 261,360 sf. abutting the Souhegan River	8.5 acres / 370,260 sf.	18.18 acres / 791,921 sf.
EXISTING PARK SIZE	Directly abuts TOM property. 127 Elm Street / Keyes Memorial Park is 24.8 acres total	NA	NA
ENVIRONMENTAL CONDITIONS	Souhegan River along the northern property border and subject to Shoreline protection. May contain pockets of delineated wetlands resource areas.	Souhegan River along the eastern and southern property border and subject to Shoreline protection.	The property is bi-sected by Tucker Brook rendering less than half as developable. Contains wetland resource areas in the eastern portion of property.
TOPOGRAPHY	Predominantly flat	Predominately flat, but slopes north to south nearing the River.	Predominately flat, but slopes south to north approaching Tucker Brook.
VEGETATION	Primarily undeveloped/Wooded lot. Contains unpaved access road associated with the sewer easement.	Primarily undeveloped/Wooded lot. Cleared area on the eastern portion of property.	Mixture of woody and wetland vegetation. Areas of open water.
WALKSCORE.COM®	42 - Within walking distance to the Milford Oval, located near shopping centers, minutes from Routes 101 and 101-A.	71 - Highly walkable and accessible to the downtown and abutting businesses/residential neighborhoods.	20 - Entirely car dependent.
EXISTING INFRASTRUCTURE			
SURFACE	Primarily undeveloped/Wooded lot. Contains unpaved access road associated with the sewer easement.	Primarily undeveloped/Wooded lot. Cleared area on the eastern portion of property.	Mixture of woody and wetland vegetation. Areas of open water.
PATHS / SIDEWALKS	Contains unpaved access road associated with the sewer easement.	Existing trail connection from Bridge Street / Swing Bring. Currently being used by neighboring residents and biking community.	None
PARKING	None	Parking available in cleared area in proximity to the access way.	None. Opportunities for parking along Perry Road / Service Road "C".
FENCING	None	None	None
LIGHTING	None	None	None
RESTROOMS	None	None	None
STRUCTURES	None	None	None
WATER	TOM water and waste water available on site.	None on site. TOM water and waste water available along Souhegan Street and would need to be extended to the property.	None on site. TOM water available on Perry Road, but would need to be extended approx. 1,000 feet to the property.
SEWER/SEPTIC	TOM water and waste water available on site. Sewer utility easement located in rear of property.	None on site. TOM water and waste water available along Souhegan Street and would need to be extended to the property.	None on site. TOM waste water available on Perry Road, but would need to be extended approx. 1,200 feet to the property.
MAINTENANCE	None	None	None
SHADE	Substantial	Substantial	Substantial
PEDESTRIAN / DOG ACTIVITIES	Utility maintenance.	Currently being used by neighboring residents and biking community.	None
AESTHETICS	Scenic area with access view of Souhegan River. Directly abuts 127 Elm Street/Keyes Memorial Park.	Scenic area with access view of Souhegan River. Abuts the Swing Bridge.	Located in proximity to Tucker Brook and within primarily undeveloped industrial property.
REGULATORY	LOCAL	1. Dog Park is a Permitted Use in Residential "A" District. 2. Property lies in 100 and 500 year flood plains. Requires Floodplain Management Permit from Bld. Inspector. 3. Requires Site Plan Approval from Planning Board. 4. Requires 25' buffer setback from wetland resource areas.	1. Dog Park is not a Permitted Use in the Integrated Commercial Industrial 2 District. However, said use is a permitted use within the Commerce Community Overlay District. 2. Property lies in 100 and 500 year flood plains. Requires Floodplain Management Permit from Bld. Inspector. 3. Requires Site Plan Approval from Planning Board. 4. 50' setback from Tucker Brook and 25' wetland buffer.
	STATE/ FEDERAL	1. Subject to Shoreline protection regulations for the Souhegan River. 2. Subject to National Flood Insurance Program.	1. Subject to NHDES wetland regulations. 2. Subject to National Flood Insurance Program.
COMMENTS	1. Would require a conservation easement from the property owner to the Town to allow the dog park and recreation uses. Currently working with owner regarding creation of said easement. 2. Property directly abuts 127 Elm Street/Keyes Memorial Park. Identified site provides possible pedestrian/trail connectivity to the existing trail system, Keyes Memorial Park, MCAA fields, and Mont Vernon Road as identified in the 2014 Connectivity Plan.	1. Town owned property centrally located and accessible property in the downtown. Situated within established neighborhoods. 2. Identified site provides possible pedestrian/trail connectivity to the future plan trail system as identified in the 2014 Connectivity Plan. 3. Would require the construction of additional parking.	1. Town owned property and accessible. Situated outside of established residential neighborhoods. 2. Would require the construction of additional parking.

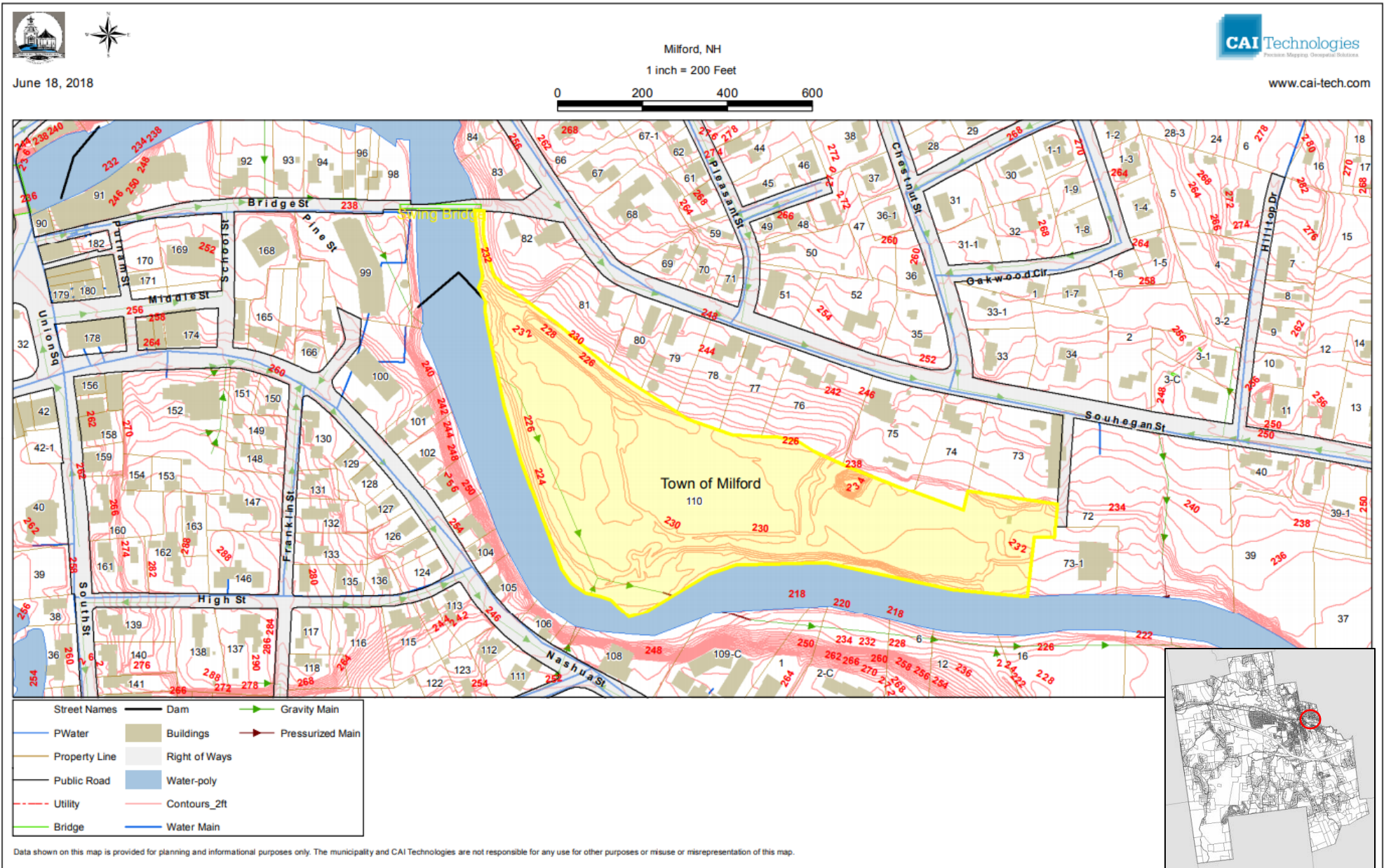


Property Boundary Map





Property Boundary Map





Aerial Vicinity Map



June 18, 2018

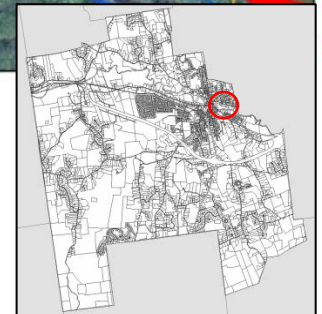
Milford, NH
1 inch = 200 Feet
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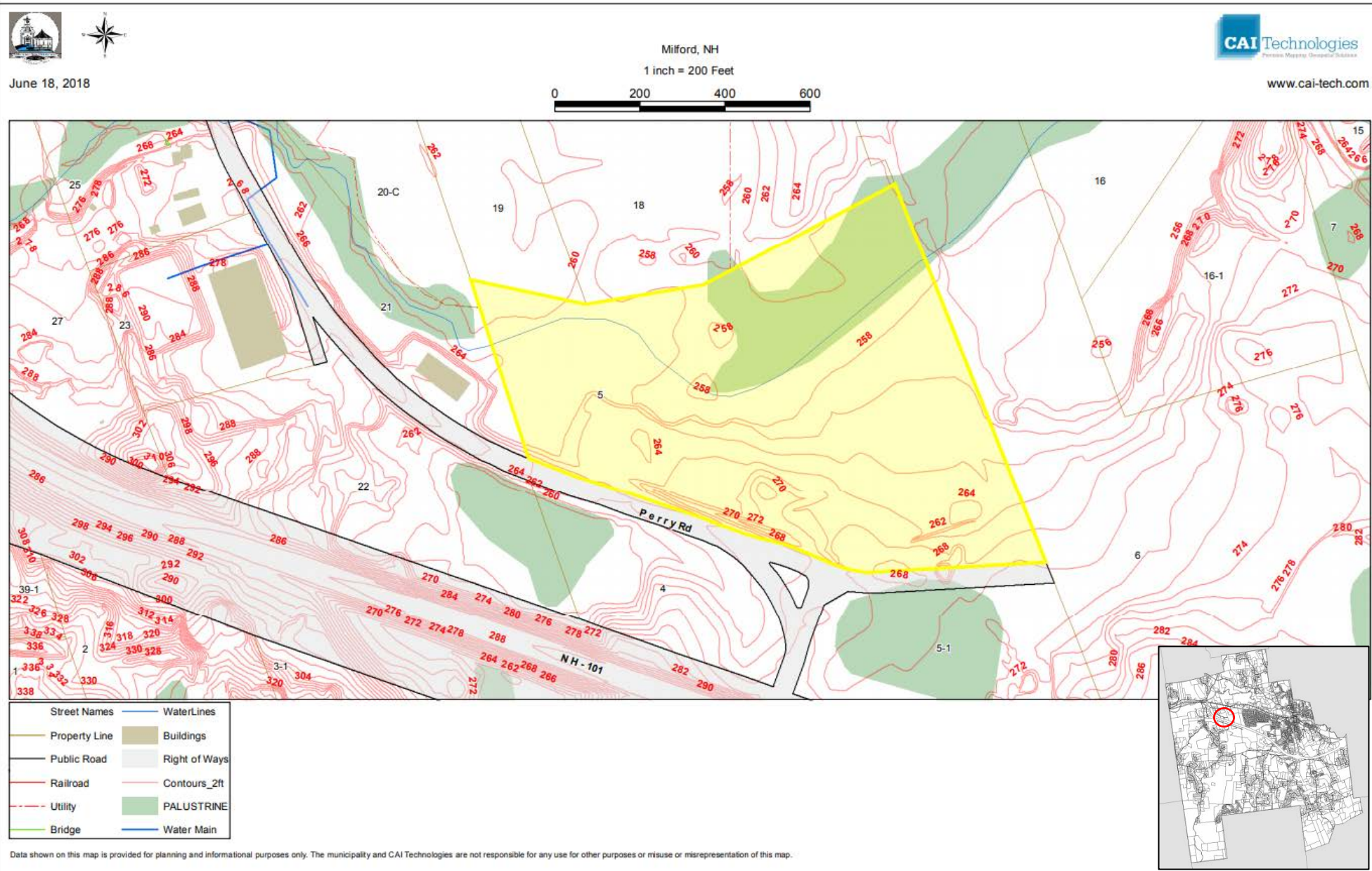


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Property Boundary Map





OFFICE OF COMMUNITY DEVELOPMENT
Dog Park Facility - Location Study

SITE #3: Perry Road
(0 Perry Road – Class VI Section)



Aerial Vicinity Map



June 18, 2018

Milford, NH
1 inch = 200 Feet
0 200 400 600

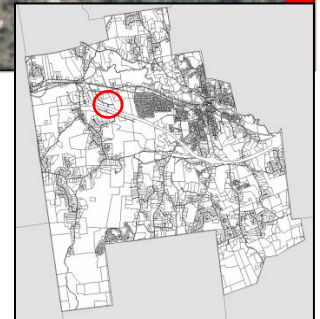
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Street Names	WaterLines
Property Line	500 Year Floodplain
Public Road	100 Year Floodplain - AE
Railroad	Water Main
Utility	
Bridge	

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6. 127 Elm Street Discussioin

Verbal

DRAFT

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 25, 2018

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

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Federico called the public meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Federico indicated that those people in the audience who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access live broadcast.

2. APPOINTMENTS: (Approximate times)

5:30 p.m. – 2nd Public Hearing and vote – Mobility Device Use Policy –Chris Costantino and Andy Hughes – Andy gave an overview of what was discussed at the May 14, 2018 Board of Selectmen's meeting. This policy would address the use of Mobility Devices on town trails. The policy is based on the Americans with Disabilities Act (ADA) that took effect March 15, 2011. The definition and regulation to permit the use of mobility devices has been amended. The rule adopts a two-tiered approach to mobility devices, drawing distinctions between wheel- chairs and "other power-driven mobility devices" (OPDMDs). The DOJ requires that each group which owns a trail(s) "make reasonable modifications in its policies, to permit the use of OPDMDs by individuals with mobility disabilities. The Conservation Commission adopted specific guidelines and would like the Board to approve the policy.

Chairman Federico opened up the Public Hearing. Hearing no comments, he closed the public hearing at 5:33. Selectman Putnam made a motion to approve the Mobility Device Use Policy. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

5:35 p.m. – Conservation Easement on BROX Community Lands – Chris Costantino

Presentation cancelled, more information is needed before presenting to the Board.

5:45 p.m. - Approval of Applications for Veterans Tax Credits, All Veterans Tax Credit, Elderly Exemptions, Land Use Change Tax, Denial of Property Abatements, and Timber Tax and "Intent to Cut" Changes. – Assessing Director Marti Noel.

Veterans Tax Credit RSA 72:28 2018

Ms. Noel recommended that (7) Standard Veterans Tax Credit applications be approved. The applications are in spouses name after death of Veteran who is receiving the tax credit. Selectman Daniels made a motion to approve the Veterans Tax Credit as recommended. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

All Veterans Tax Credit RSA 72:28-b

Ms. Noel recommended that (1) All Veterans Tax Credit be approved. This was a warrant article approved in 2016. It is for \$300 dollars and the applicant qualifies for the credit. Selectman Putnam made a motion to approve the All Veterans Tax Credit as recommended. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

Gil Archambault, Milford Resident asked how many Veterans receive the Veterans Tax. Marti said she didn't have that information with her but if she were to guess, less than 100 for the All Veterans Tax Credit and 650 for the Veterans Tax Credit.

Elderly Exemptions

Ms. Noel reviewed (4) elderly exemption applications, all applicants qualify. Selectman Putnam made a motion to approve the Elderly Exemptions Tax Credit as recommended. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

Denial of Property Abatements

Ms. Noel presented (3) abatement applications, with the recommendation for denial but asked to remove one property at owner's request today. The property owner wishes to attend a future non-public session with the Board of Select-

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 06/25/2018

men. Selectman Daniels moved to approve for denial applications 1707 and 1709 as recommended. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

Land Use Change Tax

Ms. Noel presented (8) parcels for approval. Map 45 Lots 3-3, 3-5, 3-47 & 3-50 (Autumn Oaks Subdivision New Homes), Map 50 lot 1, (a portion of the lot is being removed to support new dwelling, Map 53 Lot 67-2 (expansion of residential use required additional land need to be removed from current use), and Map 5-3 (recently purchased parcel. Selectman Daniels moved to approve Land Use Change Tax parcels as recommended. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

Timber Tax and “Intent to Cut” Changes.

Ms Noel gave the Board an overview of legislation change in timber tax and intent to cut law effective September 1, 2018. The Municipality can waive yield tax on land owned by the Municipality. They also changed approval for intent to cut from 15 days from 30 days. We usually meet the public requirement for notice, but 15 days may be tough to meet. Some communities give the Assessor the ability to sign on those occasions when it doesn’t make the time constraints of the statute. Selectman Dargie request that language is written for the next meeting that allows authorization for the Assessor to sign. Marti said she would have it ready.

Selectman Daniels asked if we look at town forest that may be under an easement of the society of the protection of forest, is it considered something that could be waived? Marti cited 79:3-b Waiver of Yield Tax by Municipality in Certain Cases. When timber harvesting is conducted on land owned by, and located in, a municipality, the municipality may waive the yield tax, but shall report the location, species, and volume of wood and timber cut to the commissioner of revenue administration. Selectman Daniels asked if it has to be done on each cut or can the Board vote to waive the tax on anything so they only have to deal with it once. Marti said she doesn’t know, but would guess you would have to vote individually so as not to override a previous vote on something that you really wanted to tax.

Selectman Dargie asked where the tax money goes. Marti said the general fund. Selectman Dargie said he would be in favor of doing it once. He asked that Marti look into it for further clarification. Marti said she would check with the DRA.

6:00 p.m. – Pumpkin Festival Update – Wade Scott Campbell and Carol Gates. Wade gave the Board a brief overview of how the Pumpkin Festival planning was going. He said they are happy where they are. They secured David Freel as the electrician. They will be having a meeting with the building and electrical inspectors as well as the Fire Department. Vendors are still coming in. There is about \$24,000 in the bank. Insurance will be all set tomorrow. Selectman Dargie asked what items are they most concerned about. Wade said parking and vendors wanting to use additional space as well as parking for musicians. They will let the Board know if there are any other issues that come up. Carol said that vendors have been contacted and there are some new ones.

Selectman Daniels asked how big was the Pumpkin Festival committee. Wade said 5 board members and 6 or 7 people that have participated at the meetings. They will need many more for the festival itself. Chairman Federico asked when was the next meeting. Wade said July 10th in the Community Room at the Police Station at 7:00 p.m. All other meetings are the 1st Wednesday of the month, same place and time. Chairman Federico asked if there is anything they could be doing that would help at this time. Wade said he’s compiling a list. Carol said the primary thing would be if people could donate. Businesses that would like to sponsor could be directed to Carol and Wade or the Lions Rotary Club; the money would be helpful as there wasn’t any seed money to start with. We are trying to reach as many as we can. Volunteers helping at the festival would be helpful. We will accept all help at any time. Chairman Federico asked if they are utilizing the volunteer groups. Wade said he has been in contact with the soccer booster club and there will be more clubs that will be utilized as they get closer.

Selectman Dargie asked if they have a tentative schedule yet for the different venues and days that things are happening. Carol said it will be reviewing the final markup at the next meeting. Gil Archambault, Milford resident asked that they make sure the Police Department gets notification ahead of schedule due to officers being on vacation. They need to be covered 100% by the Police Department. Carole said they are planning another meeting that will cover that.

3. PUBLIC COMMENTS. (Items not on the agenda).

Chris Labonte, Milford resident asked what the difference would be in regards to the steel plates, putting them on the

DRAFT MINUTES OF BOARD OF SELECTMEN MEETING – 06/25/2018

Hartshorne Bridge vs. what they did on Perry Road. Why would you need engineering? Chairman Federico said he didn't know which is why he tasked Rick to give them additional information. Chris asked what it's cost us so far on the BROX Gravel Operation versus what we've brought in. Chairman Federico said he will get him the breakdown.

Chairman Federico said he would allow comments on the flying of the Pride flag on the oval at this time.

Susan Kater, Milford resident feels that it's a good idea to just allow the American flags on the Oval because once you allow one group in, another is going to want the same thing. You will have to do a case by case and you run the risk of being sued if you approve one over the other. She is nervous of groups that might come in that are very repugnant to any resident of this town. She thinks it's a better idea if we restrict flags and signage on the Oval. It may be a 1st amendment issue, but we need some type of control.

Peggy Seward, Milford resident thanked Selectman Daniels for looking into information about the VFW and the pole and flags and how they replace them. We used to have controversy about signs on the Oval, who was and was not allowed to utilize the Oval for signs. A policy was put in place that it could be used for non-profits if they request it 30 days in advance and the Board approved it. She suggests that they come up with a policy for any flags of any type that would need to be approved on any town property. The bricks on the Oval are there to honor and remember everyone, the American Flag fly's every day and the American flags fly on the 22 poles. They fly on Flag Day, July 4th and Veterans Day and Memorial Day. She has never seen any other flag utilize those poles. She suggests that before the Board approve this, they need to figure out what they are getting into. She said that days of proclamations are great, whether it is one day or thirty days, and it can be done to honor anyone. She suggests having two flag poles somewhere in town, not on the Oval where anyone could ask that they utilize it to honor something.

Gil Archambault, Milford resident also thanked Selectman Daniels. He suggests calling the Oval, The Memorial Park because of the bricks, the American flag and the memorial. He agrees with Peggy about putting a policy in place about flags.

Shayne Bernard, Milford resident excited that we accepted the proclamation for the month of June. She feels flying the flag one day a year isn't a big deal. We have trans kids, trans adults, lesbian and bisexual families in town and it's all inclusive. In regards to the Oval and talking about using it as a memorial, it's used in celebrating Christmas and Easter, it isn't just one thing, we are celebrating holidays. To the LBGTQ this is a big holiday. Stonewall was a big break for their rights. This year on June 30th will be Nashua's first gay pride parade. It would be great to see both come in line together as communities and celebrate together.

Brendon Philbrick, Milford property owner, non-resident said he defends the rich, the poor, the young and the old, black and white and sexuality is never called into question. He said that if you can't put the nativity out on the Oval, you shouldn't put the gay pride flag out there. He said, Selectman Dargie is free to have a gay pride tattoo on his forehead and wear pride tee shirts, and to pass them out, but he was wondering if anyone has spoken to town council about this. He also doesn't think anyone has considered calling the local government center. He thinks the proper avenue would be to have voters sign a certified petition asking the town if they would like to have that flag put on their Oval. He mentioned that the Supreme Court ruled that the florist doesn't have to serve the gay wedding because it would violate their Christian conscience. He said there are a lot of Christian tax payers wouldn't like that flag on the Oval. He feels town council needs to be brought in before any law suits come in.

Gil Archambault, Milford resident said it's a good thing the Board voted 4/1 against flying the flag. In a recent meeting at the VFW they were upset about the flag pole to fly the Pride flag. In regards to the 22 flag poles, who's going to put them up and take them down? The 22 flags when flown, are not flown 24 hours a day, they are put out in the morning and taken down at night.

Tina Landell, Milford resident also thanked Selectman Daniels for his work on the flag effort. She was in Concord 9 years ago when a lot of discussion took place on gay marriage. People warned that if gay marriage were to be passed, it would result in many things happening. The people who testified for gay marriage said that would never happen. But things have happened all over the country. We see people who march under the rainbow flag, marginalizing anyone who disagrees with them, and using the law to do it. There is a bill coming down from California, bill 2943 that will ban books, shut down churches and close psychiatric offices all over the state, basically anyone who disagrees with the LBGTQ agenda. If we are looking to have a pluralistic society, then let's have one. If we have groups that

want to marginalize anyone who disagrees with them and use the law to bring harm, take businesses away, your homes, your life's savings, and it's happened all over the country, then we need to, as good people in Milford say no. We do support a loving and pluralistic society and your welcome in my house for dinner anytime, we can reach out to each other in love. If we want to maintain a pluralistic society then we have to oppose the political agenda of this group.

George Hoyt, Milford resident thanked Selectman Daniels for rounding up the bigots at the town hall today. Chairman Federico stopped George and told him that he was being disrespectful to the Board, and those in the audience and Selectman Daniels. He asked George to leave and closed public comments.

4. DECISIONS.

a) **CONSENT CALENDAR.** Chairman Federico asked if there were any items to be removed from the Consent Calendar for discussion. There were no items removed for discussion. Selectman Putnam moved to approve the Consent Calendar as presented. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

- 1) Acceptance and Appropriation of Unanticipated Revenues Under \$10,000 (31:95(b))
 - Donation to the Milford Police Department for the purchase of a ballistic shield and helmet from Shawn and Staci Walsh - \$2,136.10
- 2) Request for approval of Emergency Operations Center Designation

b) OTHER DECISIONS.

- 1) N/A

5. TOWN STATUS REPORT – Administrator Bender

a) **Fire Department Buildings Contract** - All contracts have been reviewed and amended by Primex and Attorney Drescher. The contract with Port One Architects, Inc. has been finalized and is ready for signature. The contracts with Eckman Construction Company, Inc. for construction management and general conditions for construction are very close to being finalized. We are working through the last few details with Eckman and Primex but we are confident that they will be resolved very soon. We have conceptual agreement on both of their contracts. All contracts are similar in style and content to those for the Ambulance facility. He requesting board authorization to sign the contracts so we can start the project in July. Selectman Putnam made a motion to allow Administrator Bender to sign the contracts for the Fire Department renovations. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

b) **Paving Update- Check website for project updates and details:** Administrator Bender gave an update for the 2018 season. This information will be put on the town's web site.

Clinton Street

- Water Department began service taps on June 18
- Drainage/catch basin replacement
- Sidewalk and curb replacement
- Street reclamation and paving scheduled week of July 16 & 23.

Ponemah Hill Road –

- Drainage and culvert replacement started week of June 18
- Road reclamation and paving scheduled for week of July 9
- Guardrail replacement

King & George Street

- Road reclamation scheduled for week of July 16
- Drainage work scheduled for week of July 23
- Water Department service work scheduled to start week of July 30
- Paving planned for end of August

Osgood Road

- Road repairs, drainage and reclamation work scheduled for week of July 23
- Shim coat and chip seal from Armory to Burns
- Pave Burns to Noons Quarry

Melendy Road/Ball Hill Road

- Road repairs Armory to Annand Drive
- Shim coat and ship seal in August

Nashua Street – 1 week not scheduled

- Riverside Cemetery to Walgreens
- Sidewalk and curb work – additional sidewalk to be added next to Burger King.
- Mill and Overlay with alternate lane closures
- Elm Street – 1 week not scheduled**
- Wilton Road to Hitchiner Way
- Mill and Overlay with alternate lane closures

All road closures will be on the website and nixle. Selectman Daniels noted that the Governors council approved some work at the exit going from 101 to 101a going towards Nashua. They will be putting in an additional lane on 101 where Wilderness Outfitters was. He doesn't know when it will start.

Selectman Putnam asked if they were planning to do anything from Suburban Propane up to Erving Gas Station. The traffic gets really backed up. Selectman Daniels said he hasn't heard anything.

6. DISCUSSIONS

a) Hartshorne Bridge Discussion – The Board walked through the Hartshorne Bridge to review its condition. The bridge is going to cost \$580,000 if we were to replace it with the State plan. Selectman Putnam said to put some steel over it, bring it down to one lane at the lowest weight and add some guard rails.

Chairman Federico said residents that use the bridge on a daily basis expressed concerns. He would like to mitigate the town's liability. He asked Rick Riendeau, Public Works Director if they could put up guard rails and make it one lane. Rick said it's been a 6 ton bridge for a long time. He doesn't know how long it will last. There are only a couple houses in town that use it. He feels there are other bridges in town that need more work, we need the money for them and it's a lot of money for such a small bridge.

Selectman Dargie asked if Rick had a rough estimate of what a patch job would cost to keep it going. He isn't favor of doing a whole replacement, it isn't worth a ½ million dollars. Even a \$100,000 is excessive but he's concerned about the corner. If we close the bridge we may have to reconstruct the intersection to make it a T intersection. Rick said it's about \$60,000 just to do permit work to the State and Wetlands. It's going to be costly either way. The State just gave him information that the Mason Road Bridge over Greatbrook and Burns Hill is getting red listed. It's an important bridge and is already at 50% section lost. Administrator Bender said that there are somethings they can do as replacement in kind. If there is a failing culvert we can replace it with the same size culvert but Hartshorne Bridge is a stone laid bridge built in 1910. It has to be done with either reinforced concrete pipe or a prefab structure.

Selectman Dargie asked what would happen if we just ignored it. Administrator Bender said the Municipality would have to accept the liability. Chairman Federico asked Rick would it still cost \$60,000 in permits and would mitigating our liability if we reduced it to one lane, dropped the weight limit and add some guard rails? Rick said it's already at the lowest weight limit. Selectman Dargie said he would like an estimate on what it would take to rebuild the intersection on Rt. 13 closest to the town next to Joslin Road. Administrator Bender said the intersection wouldn't change because of the bridge. Chairman Federico said it would be a lot less use of the bridge. Selectman Putnam said the bridge is solid and he doesn't see any problem with leaving it the way it is. He asked Rick if they needed a permit to put steel on the bridge. Rick said they would have to do some engineering but he doesn't think steel is a good fix. The engineers don't like to plate like that. Chairman Federico asked Rick to get some numbers to re-work the intersection and if there is a ½ way in between repair vs. doing nothing, and see what permit and engineering we would need before we make any decisions.

b) 127 Elm Street Discussion – Tabled until July 9th.

c) Request to fly Pride Flags on the Oval utilizing the already existing footings currently in place around the perimeter of the Oval on Saturday, June 30th-

Chairman Federico opened this discussion for Board comments. Selectman Dargie said the Oval is a traditional public forum which is an area with the highest level of free speech recognized by the courts. People can go to the Oval, walk around, carry flags and demonstrate on just about anything and the courts would support them. Traditionally public forums allow reasonable time, place and manner restrictions on things. It's limited to things

that have a public purpose for doing it. When something is introduced as a first thing, you have to go along and provide alternative things. Last fall, we had Red Ribbon Week where students were allowed to hang red ribbons on the bandstand to draw attention to a topic. Hanging Pride flags on the bandstand is exactly like that. It's a symbol of a topic. A court would specify that hanging a Pride flag would be consistent to hanging a red ribbon on the band stand and it would be approved. The precedent was already set for that. Using the 22 flag footings probably wouldn't be approved because it's a continuation of something that has already occurred. He is requesting that we hang Pride flags on the bandstand on Saturday, June 30th. They would be put up in the morning and taken down in the afternoon. It would only be for one day.

Chairman Federico this topic certainly gets a lot of ink and traffic. His opposition to any of this has nothing to do with LBGTQ community; he would be in favor of hanging the flag on the gazebo. What he doesn't want is the Nazi flag to be hung over the same gazebo under the same precedence. We can't say that it won't happen and if we allow one thing, we have to allow the other. He doesn't believe that this Municipal Government at a town level, specifically our Oval, should be a canvas for anyone's cause, worthwhile or not. We fly the American flag like we've done since the Oval was built. We say the pledge of allegiance at the beginning of the meeting and our kids say it before school day. In this case on the Oval and on Town property when we don't have an area that's designated for causes, we shouldn't just put one up. It has nothing to do with this cause; it has to do with what comes later. He doesn't want to sit here and say no to the white supremacist or neo Nazi's because then he's gotten this town in a law suit.

Selectman Daniels thanked Selectman Dargie for taking the 22 footings off the table because he feels it would have set precedence. Until we have a policy, he would not support that. He also agrees that the Oval is public property, common space. He's noticed reading through social media, that things have been twisted and need to be clarified, specifically if we grant authorization for something. Authorization is different than supporting or sponsoring something and should not be misconstrued as the Board supporting or opposing any activity that we authorize out there. In the past we have allowed politicians to hold signs and wave, around Christmas there have been living nativity sets, and we allow CAST to put their red ribbons on the Oval to bring awareness of drug abuse by teenagers. The role of government is to protect the rights of those who wish to exercise their freedom of expression. We are not doing this to support, we are just authorizing their activity on public property. That's the way it should be viewed by this Board. Individually we may have our own positions on whatever activity takes place out there, but as a Board and governing body, what we are doing by authorize something is upholding the constitutional rights of those making the request to express their freedom as granted to them under the first amendment. The Board does however, have discretion over how that property is used and we've shown that in the past by not allowing stakes or wires to be put into the ground on the Oval. He couldn't find any evidence of the flag poles and footings ever been used by any organizations, it would be precedence precedence and the Board would need to have a discussion about that. Knowing that this group wants to do something this month, if we are going to do anything he would be in favor of authorizing them to use the Oval on the 30th of June for activities as in past practices like holding signs, banners or flags, to hang signs, banners or flags on the gazebo as CAST was allowed to do or to place ribbons around the lamp posts or trees around the oval. All those things, we have allowed in the past. He doesn't think that we should break from that practice because we start violating people's constitutional rights.

Chairman Federico clarified that Selectman Daniels is ok with the flags being hung on the bandstand, with people in assembly or on the bandstand for the day. Selectman Daniels said CAST put ribbons up but didn't necessarily have people standing out there. If people wish to stand out there with their flags and signs, like politicians do or wish to put things on the bandstand they should be allowed to do that as well.

Selectman Putnam agrees with Selectman Daniels. He has lots of friends that are members of the gay community and it's about their constitutional rights. He isn't going to tell people how to run their lives. He isn't going to pass judgement. He believes if we open this can of worms, it will turn into a can of worms. He doesn't want to see it happen to this town.

Selectman Dargie made a motion that individuals be allowed to put Pride flags on the bandstand on Saturday, June 30, 2018 from 8 am until 5 pm and people be allowed to congregate on the Oval in celebration of Gay Pride month on that Saturday. Chairman Federico asked if there was going to be an assembly on the Oval? Do we require a permit for the Oval? Selectman Dargie said we do not. He recommends the assembly would be from 12:00 to 12:30 so that people can participate and to Nashua for their assembly at 2:00. Selectman Daniels added that everything be taken down by 5:00 so that DPW is not responsible for cleaning up.

Selectman Daniels said because there has been a big issue about this, he would expect that other groups will be coming in and requesting their day and month and he would hope that the Board look at this as not supporting or opposing but upholding someone's constitutional rights to express their rights under the first amendment.

A motion was made by Selectman Dargie and seconded by Selectman Daniels to allow individuals to put Pride flags on the bandstand on Saturday June 30, 2018 from 8 am until 5 pm, and people be allowed to congregate on the Oval in celebration of Gay Pride month on that Saturday. Also allowing an assembly from 12:00 until approximately 12:30 and requesting that everything be taken down by 5:00 pm. The motion passed 3/1 with Chairman Federico opposed.

7. SELECTMEN'S REPORTS/DISCUSSIONS.

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

Selectman Dargie said the Recreation Commission has many activities planned this summer and will be fixing dug-outs at Shepard's Park.

Selectman Daniels said the Recycling Committee will be having a float in the Labor Day Parade.

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

Note: At the June 11th non-public meeting, the Board of Selectmen voted to unseal the non-public minutes of the May 29, 2018 meeting under (RSA 91-A:3, II(c)) Reputation

8. APPROVAL OF FINAL MINUTES. Selectman Dargie moved to approve the minutes of June 11, 2018 as amended. Selectman Daniels seconded. All were in favor. The motion passed 4/0.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

10. NOTICES. Chairman Federico read the notices.

11. NON-PUBLIC SESSION. Selectman Daniels made a motion to enter into non-public meeting at 6:55 in accordance for Approval of non-public minutes (RSA 91-A:3, II(e)) Legal May 30, 2018 and (RSA 91-A:3, II(e)) Legal June 11, 2018 and review of non-public minutes for unsealing January 5, 2015, January 26, 2015, May 11, 2015 and July 27, 2015. Selectman Putnam seconded. All were in favor. The motion passed by roll call vote 4/0 Selectman Dargie – yes, Selectman Daniels – yes, Selectman Putnam – yes and Chairman Federico – yes.

12. ADJOURNMENT: Selectman Dargie moved to adjourn at 7:05 p.m. Selectman Putnam seconded. All were in favor. The motion passed 4/0.

Kevin Federico, Chairman

Gary Daniels, Vice Chairman

Mike Putnam, Member

EXCUSED

Laura Dudziak, Member

Paul Dargie, Member