APPROVED MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 8, 2015

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PRESENT: Mark Fougere, Chairman

Kevin Federico, Vice Chairman

Gary Daniels, Member Mike Putnam, Member

Mark Bender, Town Administrator Darlene J. Bouffard, Recording Secretary

Dave Bosquet, Videographer

EXCUSED: Katherine Bauer, Member

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING

INSTRUCTIONS: After the non-public session, Chairman Fougere called the public meeting to order at 5:52 p.m., introduced Board members, noting that Selectman Bauer is excused this evening and then led the audience in the Pledge of Allegiance. Chairman Fougere 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:

 5:30 p.m. – Non-Public (RSA 91-A:3, II(d) Land Acquisition. This non-public session appointment was not held, at the request of the person with whom the appointment was made. In lieu of the scheduled non-public session, the Board took up other non-public discussions in accordance with RSA 91-A:3, II(c) Reputation and (d) Land Acquisition and took up the non-public minutes of May 11, 2015 for review and approval. Vice Chairman Federico moved to un-seal the non-public minutes of May 11, 2015. Selectman Putnam seconded. All were in favor. Motion passed 4/0. Vice Chairman Federico moved to approve the non-public minutes of May 11, 2015 as presented. Selectman Putnam seconded. All were in favor. Motion passed 4/0. After discussion, Vice Chairman Federico moved to re-seal the non-public minutes of this session. Selectman Putnam seconded. All were in favor. Motion passed 4/0. Vice Chairman Federico moved to come out of non-public session at 5:50 p.m. Selectman Putnam seconded. All were in favor. Motion passed 4/0. Chairman Fougere announced that in non-public session, the Board discussed a reputation issue and a land acquisition issue and approved one set of non-public minutes of May 11, 2015. There were no other decisions made.

 6:00 p.m. – Land Use Change Tax (LUCT), 3 Parcels and 1 Jeopardy Tax Warrant. Town Assessor Marti Noel, explained she has one Jeopardy Tax Warrant for a mobile/manufactured home at Map 7, Lot 3-M-1 which she investigated on April 2 and April 8, 2015. In tonight's packet, the tax warrant reflects only half of the tax bill, but it should have reflected the entire tax bill of \$469.50 because it must reflect the whole tax warrant for the year and be paid prior to moving the mobile home. The mobile home has been moved. Selectman Putnam moved to approve the jeopardy tax warrant in the amount of \$469.50. Selectman Daniels seconded for discussion. Selectman Daniels indicated the Board does not see these very often and asked what is the effect of this warrant. Ms. Noel indicated it is to capture the property tax all at once instead of only half. Selectman Daniels said the mobile home was already moved and that is against the law, has anyone followed up on that? Ms. Noel said that is correct, and this tax warrant goes to the park owner because he took ownership of the mobile home. Chairman Fougere said the owners should have been aware of this issue. Ms. Noel explained that sometimes the homes get abandoned and the park owner is responsible for moving the home. There are a lot of different scenarios. All were in favor of the motion. Motion passed 4/0.

Ms. Noel presented the Land Use Change Tax assessments as follows: Map 7, Lot 10; Map 47, Lot 14-1; Map 4, Lot 7 which removes a portion of each parcel from current use. On Map 47, Lot 14-1, Selectman Daniels asked if that is zoned commercial? Ms. Noel said nothing has been done to change that zoning, it is zoned residential, but it is a permitted use. Selectman Daniels asked if the owner has been contacted about this change. Ms. Noel said the owner contacted her about the expansion. Selectman Putnam moved to approve the Land Use Change Tax for the three parcels. Selectman Daniels seconded. All were in favor. Motion passed 4/0.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 6/8/2015

6:15 p.m. – Community Development – Departmental Update. Community Development Director Bill Parker provided a departmental update for the Board of Selectmen. The last Community Development Department update was in October 2014. As soon as bids come in on South Street, Mr. Parker will bring them to the Board of Selectmen to open, then the selectmen can choose, but DOT still must approve the selection. Chairman Fougere wants to make sure all of the tenants and owners of the properties on South Street are notified and aware of the construction on South Street; he hopes it will go smoothly. Mr. Parker indicated the expected start date is mid-July and the final finish work will go into spring, but most of the big construction work will be done prior to Pumpkin Festival. Chairman Fougere indicated if the Board of Selectmen needs to hold a special meeting to open the bids or anything like that, we can call an emergency meeting. Selectman Daniels asked why the final selection goes through DOT? Bill Parker does not know why, but it is part of the process, it is their rule. Vice Chairman Federico asked if there is anything we can foresee that might hold things up. Vice Chairman Federico also asked why this may not be finished until spring. Bill Parker does not see anything that will hold this up, but the coordination with the utilities is a big part of this project. The final paving is not expected until next spring because the road must go through a winter prior to final paving. Chairman Fougere noted that is standard operating procedure for roads.

Bill Parker explained that the flashing yellow light at the Emerson Road intersection will remain there, it is a new system that the Department of Transportation (DOT) has been implementing State-wide. Mr. Parker does not know if there have been any incidents thus far. Selectman Daniels asked if there is a sensor at that new light for when there is nobody approaching. Mr. Parker said he can look into that. For the first run through of the Capital Improvements Plan (CIP), Chairman Fougere would like to know of any new major additions sooner rather than later. Selectman Putnam also wants things that are not going to happen to be taken off the CIP (for example a west end fire station). Mr. Parker continued that the 2015 tax maps were just completed and should be totally up to date. The MUNIS self-serve module will be researched by Bruce Dickerson and Jack Sheehy during the second half of 2015.

An outside Engineering Services and Technical Development Request for Proposal has been put out. Chairman Fougere asked who the town currently uses. Mr. Parker responded that the town does not have an engineer right now. The funding for Osgood Pond (dredging) is still being looked at. The Planning Board is in favor of getting a traffic signal at the proposed CVS store on Nashua Street/Clinton Street. That intersection falls just short of the numbers that would require a traffic signal. Chairman Fougere feels having a light somewhere on that stretch might help traffic at peak times. Chairman Fougere asked if any of the other signals would be helped by a signal at that intersection, to which Mr. Parker thinks it would help. There were no further questions. Board members thanked Mr. Parker for the presentation.

6:40 p.m. – **Granite Town Media** – **Secondary Meeting Room Update**. Community Media Director Mike McInerney, with Tom Schmidt of Granite Town Media, came to present an idea for a second meeting room for meetings to be broadcast on PEG Access. Mr. McInerney indicated by having a second meeting room, there could be more meetings broadcast simultaneously. The proposed second meeting room would be in the basement of the Town Hall, in the space vacated by the Ambulance Department which is currently being used as a breakroom for employees. The break room could be moved to another area vacated by the Ambulance Department. The equipment for this secondary meeting room would cost approximately \$16,000 and would be semi-permanent. Additionally a few tables and chairs would be needed. Police Chief Viola has no concerns with this, as there are plenty of exits. The break room would be moved to what was previously the ambulance day room. The expense for the equipment would come out of the Granite Town Media fund. There is still money in the Comcast grant fund and with this expense it would leave \$8,000 in that account. There are places that sell used office furniture that we could take advantage of. Mr. McInerney indicated the equipment would be mobile and could be used in other locations.

Selectman Daniels asked how much money is kept in reserve for equipment failure? Mr. McInerney said this is a separate account from the franchise fees and this account is dedicated for capital equipment. Vice Chairman Federico thinks it is a good idea to utilize the space in the basement for this second meeting room. It helps Granite Town Media to get as many committee meetings televised as possible. Vice Chairman Federico suggested looking around for some furniture to see what we have in house for tables and chairs. Chairman Fougere agrees this is a good use of that space. Jack Sheehy indicated the town hall renovations were being discussed last year and part of that was to create space for different departments that are crunched, so we should look at the space that's been vacated in town hall. Chairman Fougere suggested asking departments if there are more uses for that area. Chairman Fougere said the town hall renovations are not being permanently put off, it might just be done in smaller sections. There are ways to alleviate the space crunch without spending that much money. Selectman Daniels asked if DPW would do the renovations for this second meeting room. Mr. McInerney said there are no renovations needed, and the lighting is adequate; it will just require bringing in tables and chairs. Mr. McInerney said the list of meetings

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 6/8/2015

that are broadcast has been completed; most of the committees are being broadcast except a few including MACC Base, but that is questionable because it involves three towns. Vice Chairman Federico stated the town committees mostly have a Board representative on them and should be on the list. The Water and Sewer Commissioners meetings have not been broadcast yet and that is due to space constraints at the meeting room. Selectman Putnam said the Commissioners want to meet at the Water Utilities Department because all the files are there and frequently need to be referenced, but that meeting room is small. Selectman Putnam also said people generally do not come to those meetings to observe. Selectman Putnam thinks the staff meetings should be televised and would be more informative than the Water/Sewer Commissioners meetings. In all the years Selectman Putnam has been involved in the Water/Sewer Commissioners, he may have gotten about six calls on what is happening in that department and he feels broadcasting them is a waste of taxpayer money. A lot of the taxpayers do not even have water and sewer.

The biggest broadcast challenge according to Mr. McInerney is the size of the room the meeting takes place in. Selectman Putnam said it is not practical to have the Commissioner meetings at another location; he feels it is a waste of town money to have them broadcast. Selectman Daniels commented that not everyone is affected by the pipeline either, but it is a good idea to broadcast those meetings. We have learned there are probably more people watching different facets of town government than we realize. Maybe when town meeting gets closer, we might want to broadcast the Commissioner meetings, since there are usually warrant articles for them at town meeting. Vice Chairman Federico is interested in seeing the Commissioner meetings on PEG access; he is a water/sewer user and thinks it is something that should be broadcast for transparency to the taxpayers. Selectman Putnam stated that the BOC has always been transparent. Vice Chairman Federico thinks the BOC should be on the list of broadcast committees. Chairman Fougere said if we had the BOC meetings broadcast, can we even do it in that room and how would that be done? Mr. McInerney said he could have that information for the next Board meeting. Jack Sheehy said that people pay for Granite Town Media through the franchise fees, not taxpayer dollars. The BOC has a \$3.2 million budget for water and sewer. Selectman Daniels noted that Milford Improvement Team (MIT) also meets, and they are a quasi-contracted service for the town, so the meetings should also be broadcast.

Mr. McInerney said GTM is currently working on the policies/procedures and want to make the videos available to run on the channel but we do not expect that there will be a lot coming forward. Vice Chairman Federico said when he asked about the priority of broadcasting the meetings, the BOC was low on the list.

7:00 p.m. – Pipeline Report Update. The Pipeline Task Force members, Steve Duncanson, Herb Adams, Andy Hughes and Steve Bonzcar presented the report that was developed by all of the members. Another Task Force member, Carolyn Halstead, was absent for this presentation. Mr. Duncanson explained the pipeline report was reviewed by the Task Force, the pipeline will not be along the power line but will be 100-150 feet of clear cut along that route. It is off to the side of the right of way, it will be approximately 3.11 miles of 36 inch pipe. At this time, Milford and surrounding towns do not have sufficient emergency services training in case of a gas fire. We should request that bonds be put in place for five years afterwards for roads, bridges, wells, septic systems and foundations. If this goes in, there will be blasting; but we do not know if that blasting will affect homes. There has been large opposition to this pipeline in this area; at Federal Point, they will not allow access to walk the property. The report tonight is only a fraction of the information that was received. The information is endless. Because of the impacts to Milford and the minimal benefits to the town, the Task Force is asking the BOS to affirm the opposition to this proposal and encourage alternate routes. Mr. Duncanson asked if there were questions.

Selectman Putnam would like time to read the report. Selectman Daniels asked if the research focused on the pipeline or on Liberty utilities. Mr. Duncanson said they did look at Liberty (in Chapter 3), which is a local company that supplies gas to Milford and Amherst. 40% of Liberty's commitment will reduce the customer costs and then 60% of it will be for future growth. Selectman Daniels asked if the growth is in Milford? Mr. Duncanson responded that they do not know. Mark Bender noted that the Board of Selectmen has requested a scoping meeting be held in Milford. Today the town received record that they are looking into holding one meeting in Milford. The pipeline coalition, with surrounding communities, have sent a letter to the Governor, but Milford did not sign that letter. Chairman Fougere responded that they Board of Selectmen wanted to see tonight's report before signing it. Mr. Bender indicated that the letter was sent to the representatives, senators and about 44 other people in government. Mr. Duncanson feels the town should now sign the letter so that they know that Milford is against it as well, based on the information available as of June 8, 2015 and information comes in every day. It is an ongoing process. The NED project will be filed in December 2015. Chairman Fougere was on the Hollis committee last year and it is a lot of work, we need to defeat it and get back to the task force. If Milford is taking a position in opposition, we should go forward as a single voice. Selectman Daniels thanked the Task Force for all the work, they did a great job. Mr. Duncanson thanked all of the other members. Chairman Fougere is sure the Board of Selectman will have

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questions or want further discussions once the report is reviewed. Mr. Duncanson said that they may direct any questions to him via e-mail.

Steve Bonczar, Task Force member, commented that everyone on this committee was great, there was good conversation about the pipeline, both positive and negative. It was a lot of work and a lot of conversations. Selectman Daniels asked if the final decision of the Task Force was unanimous? Mr. Duncanson said that it was, 100%.

3. PUBLIC COMMENTS.

4. DECISIONS.

- a) CONSENT CALENDAR. Chairman Fougere asked if there were any items to be removed from the Consent Calendar for discussion. Selectman Daniels removed item 4a3 from the Consent Calendar for discussion. Chairman Fougere read the Consent Calendar items for the benefit of those watching the PEG Access live broadcast. Selectman Putnam moved to approve the Consent Calendar items 1, 2 and 4 as presented. Selectman Daniels seconded. All were in favor. Motion passed 4/0.
 - 1) Request for Approval of Timber Tax Levy Map 39, Lot 70. A Timber Tax Levy in the amount of \$924.73 was presented and approved.
 - 2) Request for Approval of Release of Securities for Map 54, Lot 13-2 (Classic Bay Farm). The release of securities for Map 54, Lot 13-2 (Classic Bay Farms) in the amount of \$15,000 was approved and closes this escrow account.
 - Request for Approval to Appoint Veeral Bharucha as an Alternate Member of the Planning Board. Selectman Daniels removed this item from the Consent Calendar for discussion. Selectman Daniels indicated that for new appointments to Town Boards and Committees, they should have an appointment to come before the Board of Selectmen to talk about the position and relevant experience. Only re-appointments should be done via memo. Bill Parker, Community Development Director, said he will set up an appointment for Veeral Bharucha to come in to meet the Board.
 - 4) Request for Acceptance of RSA 31:95(b) Unanticipated Funds. The request for approval of unanticipated funds in accordance with RSA 31:95(b) was approved as follows:

Source	Amount	Purpose
Brenda Silva Revoc Trust	\$100.00	To be used for Annual Fishing Derby
Ciardelli Fuel Co Inc.	\$100.00	To be used for Annual Fishing Derby
Sons of Amer. Legion	\$200.00	To be used for Annual Fishing Derby
Annual Fishing Derby	\$526.00	Proceeds from Fishing Derby raffle ticket sales

b) OTHER DECISIONS.

1) Review and Approval of Change to Policy Regarding Employment of Relatives, Domestic Partners and/or Significant Others. Selectman Putnam moved to approve the proposed version of the policy that was written by the HR Director. Selectman Daniels seconded for discussion. Selectman Daniels asked why it is proper to allow a part time or seasonal employee to have the exemption for scheduling, but not full time employees? Mark Bender indicated typically this exemption is for lifeguards who might be siblings working in the same location at the same time. Selectman Daniels moved to table this until further information is collected. Vice Chairman Federico seconded. All were in favor. Motion passed 3/0, with Selectman Putnam out of the room.

TOWN STATUS REPORT.

1) Town Complaint Issues - May 2015. Mark Bender explained that three complaints were received from citizens. Mr. Bender directed them to Police Chief Viola to address.

Taxicab and hawkers & peddlers permit process complaint - Chief Viola looked into the taxicab complaint. He noted the Police must protect the safety of the general public and he explained this is a requirement for taxicabs to ensure it complies with the standards and requirements of the town for the safety and welfare of the citizens. Selectman Daniels indicated the Board of Selectmen spent a number of meetings reviewing the hawkers and peddlers restrictions code. Chairman Fougere said the permit is not that difficult to obtain; and it ensures that they have proper identification to sell and people know they have come through the appropriate channels. Chairman Fougere asked that Town Administrator Mark Bender respond to the complainant.

Downtown parking complaint – Chairman Fougere indicated the downtown parking issues are a never ending situation. Prior to 2005 there was a code in Milford that allowed two-hour parking but that was later rescinded because it could not be enforced. Chief Viola indicated the only way this would be effective (2-hour parking limit) is to have an officer in the budget specifically for parking enforcement. It is ironic that some merchants do not park in in front of their own business, but some others do. Vice Chairman Federico said an ordinance can be passed but unless it is enforceable, why do that? Selectman Putnam said that is why it got taken off the books and also because of the default budget. Part of the problem, said Selectman Daniels, is that people will not walk from the Garden Street parking lot to downtown. Selectman Daniels asked if there is still a walking police patrol in the oval area at night? Chief Viola said yes, we have the bike officer down in the oval and we try to work with the people. Mark Bender asked if Chief Viola has talked to Mr. Stephens? Chief Viola said he has not spoken to him specifically on this occasion, but parking has always been an issue. Chairman Fougere feels bad, if a vehicle is parked in the same spot for a few nights, a note could be left on the car. Selectman Putnam said NRPC did a study on the downtown parking a few years ago. Chief Viola said he will call Mr. Stephens.

Special event permit complaint – this complaint is regarding music being played in a residential area. For three years in a row, this specific event has received a complaint. There is currently no ordinance for loud music but it can be addressed through other offenses. Selectman Daniels asked if this has had a history of music going until 10 p.m. Chief Viola said there had been music events once a week at this establishment, but that is no longer happening. In general, Selectman Daniels asked if we grant permits that are later than 9 p.m. and who hands out the permits? Captain Craig Frye responded the permits are issued by the Fire Department. Captain Frye said the Police has to handle this on a case by case basis, there are a lot of special events in town (weddings, block parties, Fourth of July). The first year they had this fundraising event, they had the speakers turned toward the neighborhood. Now they have them facing the Granite Town Plaza. Captain Frye said sometimes at an apartment building, a noise complaint could be for a tricycle riding on the floor upstairs from the complainant. Chief Viola will talk with Mr. Jorgensen about this. They have been responsive when asked to turn down the music. Selectman Putnam does not see any need to change anything.

- **2) Town Prosecutor Update**. Mr. Bender explained that Town Prosecutor Mike McCall has resigned, effective June 19; an ad for a new prosecutor has been placed. Chief Viola noted that Mike is a very hardworking person and this new opportunity is much closer to his home and it is a good challenge for him.
- 3) Savage Well EPA/DES Update. Mark Bender said a Savage Well superfund site meeting was held on June 2 with the town, EPA and DES who are evaluating six options for cleanup. A presentation will be done mid-July for the Board of Selectmen after which a detailed public meeting will be held. Mr. Bender recommended that the initial presentation to the Board be done first. Selectman Putnam wants to be sure the Water/Sewer Commissioners are also notified of this meeting, the town does not own that wellhead any longer. The presentation is tentatively scheduled for July 13. Selectman Daniels indicated that the town should press them for an end date.
- 4) **Bridge Update**. Mark Bender indicated the Bridge Capital Reserve Fund for bridge repair was set up and there is a balance in the account of \$300,000. There are three bridges that the town is in various stages of bids to repair. Another one is currently being worked on. Mark Bender thinks the town can repair four bridges in 2015, utilizing the \$300,000, State/Federal funds and approved warrant articles.
 - -Jennison Road Bridge (town portion \$116,000)

- -Jones Bridge (demo only/dismantle/removal) (town portion \$43,000)
- -Swing Pedestrian Bridge (town portion \$14,000)
- -Savage Road Bridge slip line (town portion \$50,000)

These repairs will leave approximately \$85,000 in the Bridge Capital Reserve Fund. Town Administrator Mark Bender is asking for the Board of Selectmen to approve expanding these funds for bridge repair on these first three bridges in 2015. We will address Savage Road Bridge when we have complete cost information.

Selectman Daniels moved to authorize the town spending from the Bridge Capital Reserve Fund for Jennison Road bridge, Jones bridge, and the Swing Pedestrian bridge in 2015. Selectman Putnam seconded. All were in favor. Motion passed 4/0.

Chairman Fougere would like to look at the Savage Road bridge and how long it will take if the town follows the State recommendation and if the town does it without following the State recommendation, can we do a culvert instead of slip lining?

5) 127 Elm Street. Mark Bender called the Mayo Group on May 29, 2015 and did not get a return call. The building at 127 Elm Street is getting vandalism to the property and the town has concern; the fence is broken and the building is not always secured. The Police and Fire Chiefs are going to draft a letter to the Mayo Group indicating the dangers of people entering the building and requesting help for a resolution. Then the town can follow up with another letter requesting resolution on the Purchase & Sales that we have been trying to execute. Mark Bender talked to the Department of Environmental Services (DES) about this and they have no new updates. Right now we have the money from the Warrant Article that passed in September 2014 and we have to get the deal done this year.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 6/8/2015

Chief Viola called the Mayo Group and left a message. This morning a call came in indicated they are aware of the problems but that they did not realize it was not secure. Tomorrow Chief Viola will reach out again but they are aware of people going in and out of the building. Chief Viola said he wants to get the building fixed up so that no-body can get hurt. Chairman Fougere would like to get whoever has jurisdiction over health hazards due to negligence involved in this. Jack Sheehy, Finance Director, said safety is important but when this year is up, we will lose everything that was put before voters in the Special Town Meeting in September 2014. There is only one year allowed to get it taken care of and it needs to be done by the end of 2015. Mark Bender said the unpaid taxes for that property are up to about \$114,000. Mark Bender said the group that was contacted says it issued a report to the Mayo Group. Chairman Fougere said it is just not a big priority to the Mayo Group or DES.

- 6) **Fire Department Update.** Mark Bender indicated the Fire Department roof was completed last Friday and he met with Chief Kelly about the retaining wall. The funds for the roof repair came out of the DPW buildings budget. The retaining wall will come out of the Fire Department budget.
 - 7) Emerson Park Recognition. Chairman Fougere indicated there was never recognition given for the effort in fixing up Emerson Park. Bob Courage and Lorraine Carson worked on this a few years ago and the Board never formally recognized their efforts on the improvements. Approximately \$14,000 was raised from the Kaley and Keyes Foundations and quite a bit of work was done down there. It looks really good and Chairman Fougere wanted to publicly thank those people that worked on it including the Garden Club.

6. DISCUSSIONS

- 1) Review of Board of Selectmen's Goals and Objectives 2015. This will be reviewed at the June 22, 2015 meeting.
- 7. SELECTMEN'S REPORTS/DISCUSSIONS.
 - a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.
 - b) OTHER ITEMS (that are not on the agenda).
- **8. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of May 11, 2015 as presented. Selectman Daniels seconded. All were in favor. Motion passed 4/0.
- 9. INFORMATION ITEMS REQUIRING NO DECISIONS.
- 10. NOTICES. Notices were read by Chairman Fougere.
- 11. NON-PUBLIC SESSION. Selectman Daniels moved to enter into non-public session in accordance with RSA 91-A:3II(b) Personnel at 8:37 p.m. for a Personnel discussion. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.
- **12. ADJOURNMENT:** There being no further business to come before this meeting, Selectman Daniels moved to adjourn at 9:00 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 4/0.

Mark Fougere, Chairman	Kevin Federico, Vice Chairman
Gary Daniels, Member	Katherine Bauer, Member
Mike Putnam. Member	