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APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
October 26, 2015

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PRESENT: Mark Fougere, Chairman
Kevin Federico, Vice Chairman
Gary Daniels, Member
Mike Putnam, Member
Katherine Bauer, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary
Niko Giokas, Videographer

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

INSTRUCTIONS: Chairman Fougere 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 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.

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2. APPOINTMENTS:

5:30 p.m. – Milford/Lyndeborough/Wilton Town Line Boundary Survey. Town Lands Researcher Lorraine Carson, presented the information regarding the bounds issue between Milford, Lyndeborough and Wilton, stating we need to survey the line to find out where the bound should be because it has been moved so many times. We cannot guess any longer; we have quotes from Meridian and Sandford and the Meridian quote was cheaper. Lyndeborough is interested in finishing this; Lorraine will meet with them on November 24 and they have already put money in their 2016 budget for this. It does not need to go before town meeting, but because Milford has a default budget and Lyndeborough does not have money now, it should be moved into 2016. Chairman Fougere said the BOS is in support of this and it only affects Lyndeborough and Milford. It will cost approximately \$2,500 (each). Ms. Carson asked for questions from the Board. There were none. Ms. Carson explained that having a boundary that is accurately placed is important and there should be iron pins put in the ground so that the bound is easier to find. Ms. Carson said Wilton's ball field has one bound that has been buried and dug up several times, noting something should be done that is flush as long as it is identified and is not something you want to keep moving so we need to design it so that it cannot be moved. Chairman Fougere suggested adding the \$2,500 in the 2016 budget and notify Lyndeborough about doing it sometime in the spring. Ms. Carson stated that Lyndeborough has given their okay and they are just waiting on the Milford Board decision. There were no further questions.

5:45 p.m. – Review of Elderly Exemption Warrant Article. Town Assessor Marti Noel, explained that with the Elderly Exemption. For 2016, Ms. Noel anticipates a small increase in values, which might cause an increase to all the other tax payers. Typically, what happens is if the values increase by 3%, the tax rate would adjust by the same amount. The tax rate has other factors that also affect it, so even in a year we are not changing values, the tax rate may still go up. Based on the ratios being seen in the last five years, 3% will be about the extent of the increase based on market conditions. All members had no further questions.

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6:00 p.m. – Review of Solar Exemption Warrant Article. Town Assessor Marti Noel, explained the statute allows for a local option for a solar exemption. The wording for the exemption (written in 1979) was based on the cost of the solar system installed. What is happening now is that whatever the cost of the installation is, is the amount of the exemption. The intent is to create a net zero effect on taxes. If solar panels are installed, the taxes are not increased but they are actually decreasing and it does not seem fair to the taxpayers in town. Ms. Noel has tried to nail down the value of the solar panels. She is proposing to change the wording so that we are applying an exemption that is equal to the assessed value. Because there are different fluctuations, the right way should be to apply the amount of value with the panels there. Chairman Fougere agrees that is much better. Ms. Noel said it will clarify what the exemption should be. Anyone who has solar panels will have the existing exemption applied. Selectman Bauer asked how many homes in Milford have solar panels? Ms. Noel responded right now we have about thirty installations. Ms. Noel said the solar panel companies are selling it hard because they are claiming a ten-fold increase in 5-10 years. Mr. Bender asked if Ms. Noel is seeing any larger solar panels in town? Ms. Noel said some other towns have been approved with that, but we have not; that is a commercial endeavor. Ms. Noel has not been approached for a commercial application at this point.

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3. PUBLIC COMMENTS. (items not on the agenda). Suzanne Fournier, Brox Environmental Citizens Group Coordinator, shared several maps with the Board indicating the NH habitat and wildlife management, drawing attention to the highest ranked habitat in NH. This is a biological region, at some levels, NH has the highest levels in the region; in southern NH we are in an area with lots of forest with a lot of wildlife and habitat. It is the highest concentration of wildlife and natural habitat in Mason, Milford, Brookline, Wilton and Hollis. Milford has a section of the highest ranked habitat in the region. The Souhegan River, Brox and West Milford have a high concentration. Brox land includes the school and the Brox gravel pit. This is what we have in Milford and what we have to lose if we make bad decisions on our natural resources. The Milford Master Plan has in it a natural resources protection district, which is to protect the town's high priority natural inventory. A town-wide Natural Resources Inventory (NRI), should be done to look at the highest priority. The head water of Great Brook has come up because there is a housing development, so it should be protected. The Conservation Commission has a NRI in its mission. It costs a lot of money and she hopes this Board supports that, and it would be expensive because it would be town-wide. Now is the time to get the overlay district started and the town-wide NRI so that we will know what is in here and how important it is so we can make better decisions. The zoning ordinance could be changed to protect these areas. Chairman Fougere said it seems like the areas being pointed out are on farming land, how could that be so high for wildlife when it is farmed every year?

Ms. Fournier indicated the Nature Conservancy prepared the maps shown tonight and there is more literature that talks about how the maps were developed. Ms. Fournier noted that when there is a farm, that can come into play, they built up the map from what they knew was there; it can be rich land even though it is utilized for farming.

4. DECISIONS.

a) **CONSENT CALENDAR.** Chairman Fougere 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. Motion passed 5/0.

- 1) **Request to Issue a Proclamation Supporting the Observance of November 13 as World Pancreatic Cancer Awareness Day Milford.** The proclamation to observe World Pancreatic Cancer Awareness in Milford on November 13 was approved.
- 2) **Request for Acceptance of NH RSA (31:95(b)) Donations.** The acceptance and appropriation of unanticipated revenue under \$10,000 was approved as follows:

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Cash Donations (Anon)	\$279.62	Donations during pumpkin festival to the Milford Fire Department. The FD wishes to designate the Donations to the Fire-Life/Safety Education Special Purpose Fund.

b) **OTHER DECISIONS.**

5. TOWN STATUS REPORT.

1) **Credit Card Process Update.** Mark Bender indicated that the town is looking into debit and credit card options for different areas requiring payment such as Auto Registrations, Water/Sewer payments, and Property Tax Payments. Any process fees would be charged to the customer at a percentage rate. Jack Sheehy, Finance Director, is working out the details and will update the Board with detailed information when it is available.

2) **Planet Aid Request for Additional Boxes.** Town Administrator Mark Bender explained that there were questions at the last Board meeting regarding this request, including the locations of current Planet Aid boxes and the proposed placement of new boxes. Planet Aid would like to add new boxes at the old Police Station site and at the Boy Scout House near Shepard Park. Planet Aid does not encourage TV or mattress drop off, but when those items are left, Planet Aid disposes of them. The town does receive revenue from the boxes located on town property (Transfer Station) at \$.05/pound. Planet Aid boxes are currently located at Shaw's, Aden China, among others. Selectman Daniels asked if Planet Aid does anything with the TVs and mattresses collected. Mr. Bender does not think so, they are disposed of. Selectman Daniels does not want people to use this for that purpose and just leave them there. Selectman Putnam said there are boxes now at the Shaw's parking lot and he has not noticed that type of activity. Selectman Bauer said we should give it a try and if it is a problem, we can change it. Vice Chairman Federico does not like the idea of having one at the Boy Scout house because it is a residential area. Chairman Fougere agreed. Mr. Bender said there is already a box across the street

1 at Aden China. All members have no problem with one at the old police station site. Selectman Daniels sug-
2 gested leaving it up to the Town Administrator if other areas might be appropriate for additional boxes. Vice
3 Chairman Federico agreed, stating as long as they are getting rid of the TV and mattresses that are left. Mr.
4 Bender indicated Planet Aid picks up twice a week. Selectman Daniels moved to approve having additional
5 Planet Aid boxes to be located at the old Police Station site and that further boxes would get approved by the
6 Town Administrator and only be brought to the Board if there are questions. Selectman Putnam seconded. All
7 were in favor. Motion passed 5/0.
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9 **3)Kinder Morgan Update.** Town Administrator Mark Bender explained that the Kinder Morgan survey teams
10 are creating an ongoing problem with some residents, including last week when police responded to one situa-
11 tion. It is becoming stressful for some people and may be a safety problem. Mr. Bender wanted the Board to be
12 aware and think about rescinding the permission granted for surveyors to be on town-owned property. There is
13 always confusion about who owns what land and what parts of each road are town-owned. Mr. Bender is con-
14 cerned any situation could escalate and get out of control. One idea is to wait and see if this project is even ap-
15 proved by FERC. Selectman Daniels said if Kinder Morgan can do the survey later, will the town get cut out of
16 the loop if we wait? Mr. Bender said most of the neighboring towns are not allowing the surveys on town prop-
17 erty. Milford decided early to allow the surveys on town property so that we could stay in the loop, but to date,
18 Mr. Bender has not heard any information coming out of what is being done. Mr. Bender said an information
19 packet was shown to the Board early and indicated the town might get more information by allowing the sur-
20 veyors on town land. Vice Chairman Federico indicated the Board has not gotten any new information. Se-
21 lectman Daniels believes it was the Merrimack attorney that advised allowing the survey on town land.
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23 Vice Chairman Federico said if they are creating an issue or a safety problem by being on town land, this Board
24 needs to stop allowing it. Chairman Fougere said there was a situation where a property owner was out shoot-
25 ing and the surveyors ended up being on private property without having permission. Mr. Bender said the con-
26 fusion comes with where the property lines are. There has been confusion with surveying town property; it
27 does create issues. Selectman Daniels asked if the person that is doing the survey has a met with anyone about
28 where they can and cannot go? Mr. Bender said they have; he asked them to contact him about where they will
29 be 48 hours in advance. Mr. Bender has confirmed some of the activities, but once they are out there, that is
30 another matter. Vice Chairman Federico does not want any incidents happening accidentally, or tempers to be
31 flaring; that could be a problem, if we are not losing anything, let's rescind the permission for them to be on
32 town property. Selectman Putnam said the town would not see any new information until they are done the en-
33 tire survey. Selectman Daniels asked if it will be a problem when they need to be on the Eversource property?
34 They are allowed to survey on places where they have permission, but if that involves a piece of land where a
35 power line crosses the road, are they on town property? Mr. Bender said if it is from a town road, yes. If there
36 is an easement, that is not permission for another party to do a survey. Chairman Fougere said if the Board re-
37 scinds this, it is only for town property. If a property owner has given permission, that would be fine. Chair-
38 man Fougere said the open space in some areas is owned by the home owners. Vice Chairman Federico asked
39 if it is really going to make any difference? Chairman Fougere said we should just leave the permission in
40 place. All concurred to leave it the way it is now.
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42 **6. DISCUSSIONS**

43 **a) Review of Christmas Eve – Half day Town Offices Closed.** Town Administrator Mark Bender explained
44 that the town has closed at noon on Christmas Eve for the past couple years and employees are able to use either
45 Personal Time or Vacation Time for that time off. This is being requested again for 2015. The Board had no objec-
46 tions. Selectman Daniels asked that the Transfer Station hours be posted early for residents and that it is well adver-
47 tised at least a week ahead of time.
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49 **b) Brox Gravel Warrant Article – 2016.** Chairman Fougere explained that with the Brox property sale falling
50 through, the Board would like to again ask the town to consider a Warrant Article to sell or otherwise dispose of any
51 existing mineral interest, earth materials or other natural resources located on the town property known as the Brox
52 property (Map 38, Lot 58) and to restore the original gravel pit. Last year recommendations were made by Field-
53 Stone to do this. The land is very close to the water table out there, so some fill needs to be brought in. The avail-
54 able materials used for town purposes are coming to an end. The town would go out to bid for the sale of gravel and
55 gravel resources, as part of the warrant article, but should the Board retain some of the funds from those sales to
56 restore the original pit and build a ball field out there? Chairman Fougere has asked DPW to put a price together for
57 doing that. Another option is looking at having a forester on board to do a timber cut out there for revenue. The
58 Board will be getting some costs back from staff and then can decide what to do. Selectman Daniels asked if the

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1 raising of the floor of the pit would be done with materials that would otherwise be sold? Chairman Fougere said
2 that is correct, but we need a number to fill the floor. Selectman Daniels asked how much would have to be re-
3 moved to raise the floor for ball fields versus raising it just for the floor? Chairman Fougere feels it would be an
4 easy project, the clearing near Heron Pond could be filled without a lot of time or expense. This would not be the
5 main ball fields, and the pit would also be restored and DPW activities would be kept in one area. Those costs are
6 being worked on, then the Board can talk again.
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8 Suzanne Fournier said regarding the gravel pit, the reason why she presented tonight was to show everyone the habi-
9 tats and wildlife, that is why she wanted to talk, but it does not seem to make a difference. Last year at deliberative
10 session, MCAA representatives told her they do not want fields at the school entrance. That is not where they want
11 them. Chairman Fougere said the report that was presented (by Fieldstone) also was not objectionable to the town
12 using some of the resources. Ms. Fournier asked that the Board please not mis-use the Natural Resources Inventory
13 (NRI) research, she does not think it was to go get gravel, it was that you have to do everything in accordance with a
14 specific method. For example, 700 feet away from a vernal pool. The NRI talks about how fragmenting any of the
15 wetland will have a debilitating effect on the land. If you are going to do it, she asked that members come to the
16 Conservation Commission NRI presentation in November, for which no date has been set.
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18 c) **2016 Draft Warrant Articles.** The 2016 draft warrant articles were in tonight's packets, a number of rec-
19 ommendations from the CIP have been added. Mr. Bender asked if there were any comments. Some items on the
20 past warrants have now been included in the budget, based on the overwhelming support those items received at
21 town vote. Selectman Daniels asked with a default budget would those items still be done? Mr. Bender responded
22 yes. Selectman Daniels asked where we would get the money because that is what the default budget is. If people
23 say limit the spending, how could we fund these items? Chairman Fougere said if they are not in the budget and it
24 does not pass, how can we still put them on the warrant? Selectman Daniels said these warrant articles were always
25 kept out separately so that people could vote on them. It makes it difficult for the Board, if there is a default budget
26 will they be done away with? Selectman Daniels said he has a hard time supporting that. If people want them they
27 can vote on them as warrant articles. Chairman Fougere agreed.
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29 Selectman Bauer said that a lot of people like to vote specifically for those items. Vice Chairman Federico does
30 not want to take away the voter's choice. Chairman Fougere said a lot of the 2016 proposed warrant articles have to
31 do with DPW; he wants to get specifics on the \$5 million road article. Selectman Putnam thought we were going to
32 get that; Rick has a rating system for all the roads. Mr. Bender said there is some discussion to be had about that
33 warrant article and they are looking for feedback from the Board of Selectmen and Budget Advisory Committee. It
34 is just a proposal and we need to define if that is a three or five year period. The Board should be involved in that
35 decision. At the November 14 BAC meeting that information will be available. Chairman Fougere asked if the
36 Board wants to talk about that on November 9 prior to the November 14 BAC meeting? The November 14 meeting
37 is to discuss the operating budget, it was not to get into the warrant articles that day. A warrant article discussion
38 would come after that budget discussion. The warrant articles are for the Board to present. At some point the war-
39 rant article proposal would be in front of the BAC.
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41 If DPW is ready by November 9, Chairman Fougere suggested talking about it at that time prior to the BAC
42 meeting on November 14. Vice Chairman Federico indicated the budget needs to know what the warrant articles
43 are and the warrant articles need to know what the budget looks like. He agrees if Rick is ready for the November 9
44 meeting, Rick should bring in his information on roads to let the Board know. Mr. Bender is meeting with the BAC
45 on Wednesday, October 29 and he will let them know about the November 9 meeting. Vice Chairman Federico
46 thinks we should have everything we have available so that there is no last minute information. It was agreed that
47 the DRAFT 2016 warrant articles would be released to the Budget Advisory Committee. Selectman Daniels has
48 always advocated for a lower amount for Social Services but this year he is looking to assist with the Drug Problem
49 in town. He would like to look into what organizations are doing that kind of work; we have a growing drug prob-
50 lem in town. Selectman Daniels noted there are organizations that courts might mandate like "Bridges." Selectman
51 Bauer asked if the school has a program in place. Vice Chairman Federico asked if Susan Drew can be talked to
52 about this. Selectman Daniels said it can be passed on and he is just suggesting how the money can be used differ-
53 ently than in the past. Chairman Fougere asked if there are any local groups that help with addiction? Chief Viola
54 said there are organizations, he is just not sure what they are, there are no rehabilitation groups in Milford, but there
55 are some church affiliations that help people but he can find out more information and see what we have in town.
56 Chief Viola had a meeting today with CAST (Community Action for Safe Teens), which is high school aged kids.
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1 d) **Bricks and Oval Improvements.** Town Administrator Mark Bender said this is to follow up on this discus-
2 sion, with quotes received for brick work around the oval. Mr. Bender handed out a conceptual drawing done by
3 CLD in 2009 showing projected improvements. The key things are the north and west side radius changes to im-
4 prove driving around the oval. If we are going to do brick work, it might be the time to do improvements to the
5 oval; we can put out some stakes and how we might change the granite work and the brick work to improve aesthet-
6 ics. Mr. Bender will notify MIT and the historic society. Chairman Fougere said having the stakes out there would
7 provide a better visual and we can see what we are talking about which is increasing the turn radius area, which has
8 been a problem for a long time. Mark Fougere and Mark Bender have been talking about if we want to replace the
9 bricks along the sidewalks with cement that will be easier to maintain and will be painted to look like bricks. Se-
10 lectman Daniels would like to know what will be part of the oval improvements and replacing of bricks. Chairman
11 Fougere answered that this is the second phase of the south street project improvements. He wants to try to get a
12 few things done and not have to wait for state funding like the South Street project. Mr. Bender said if we are look-
13 ing at sidewalk brick work and if we are looking at the turn radius, we should look at the other bricks at the same
14 time. Selectman Daniels asked if it will be considered to offer new bricks to be purchased to help with the cost of
15 the improvements. There are people that would like to purchase bricks. Chairman Fougere said we could also go
16 out to the various trusts in the community and ask for help to pay for this. The ribbon of bricks along the sidewalks
17 must be improved for safety and maintenance, but will this improve all the sidewalks that have bricks? This is
18 something to think about but no decision will be made tonight.
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20 e) **Oval Parking.** Wendy Hunt, MIT Director, and Mark Bender, Town Administrator, will start talking to
21 merchants and land owners in the oval starting this week about the parking situation in the oval area.
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23 **7. SELECTMEN'S REPORTS/DISCUSSIONS.**

24 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Daniels
25 indicated the Recycling Committee is trying to increase recycling in town. At the Pumpkin Festival, there was one
26 recycling container on Middle Street that did not get that much recyclables material. The focus is on increasing the
27 number of containers throughout town. The Recycling Committee would like more recyclable containers through-
28 out town, including Keyes Park, which could be moved for certain events like the Pumpkin Festival. Selectman
29 Daniels continued to explain that the NRRA (Recycling organization) is working with the Middle School to hold an
30 event where the students assist with putting the trash out on the lawn and then break it out into ways to recycle at the
31 Middle School. A teacher at MMS was awarded grant funding so that activities such as this could be held at the
32 school.

33 Vice Chairman Federico explained that Granite Town Media has purchased a mobile kit for recordings and it
34 will be delivered Tuesday this week. Also, the Oval Cam went into action just before Pumpkin Festival and is a
35 popular item that people like to look at on the website. It can be accessed from the home page of the Milford web-
36 site.

37 b) **OTHER ITEMS (that are not on the agenda).**
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39 **8. APPROVAL OF FINAL MINUTES.** There were no minutes presented for approval this evening.
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41 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**
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43 **10. NOTICES.** Notices were read by Chairman Fougere.
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45 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into non-public session in accordance with
46 RSA 91-A:3,II(a) Personnel at 7:15 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0. After
47 discussion, Selectman Putnam moved to come out of non-public session at 7:35 p.m. Vice Chairman Federico se-
48 conded. All were in favor. Motion passed 5/0. Chairman Fougere announced that in non-public session the Board
49 discussed a personnel issue and made three decisions. Vice Chairman Federico moved to seal the minutes of this
50 non-public session. Selectman Putnam seconded. All were in favor. Motion passed 5/0.
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52 **12. ADJOURNMENT:** Selectman Putnam moved to adjourn at 7:40 p.m. Selectman Daniels seconded. All were in
53 favor. Motion passed 5/0.
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Mark Fougere, Chairman

Kevin Federico, Vice Chairman

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Gary Daniels, Member

Katherine Bauer, Member

Mike Putnam, Member