

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
December 27, 2016

PRESENT: Mark Fougere, Chairman
Gary Daniels, Member
Mike Putnam, Member
Katherine Bauer, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary
Dave Bosquet, Videographer

EXCUSED: Kevin Federico, Vice Chairman

STAFF: Karen Blow, Human Resources Director

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

INSTRUCTIONS: After the non-public session was adjourned, 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 announced that former Selectman and Planning Board member Richard Mace, who served the community as Selectman for either 3 or 4 terms, passed away a few days ago and he extended his condolences to the family. The Town of Milford was lucky to have a person like Dick in town. 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:

4:45 p.m. – Non-Public Session, RSA 91-A:3II(a & e) Personnel and Legal. Selectman Putnam moved to enter into non-public session at 4:45 p.m. Selectman Daniels seconded. All were in favor. Motion passed 4/0. After a personnel and a legal discussion, Selectman Putnam moved to come out of non-public session at 5:25 p.m. Selectman Daniels seconded. All were in favor. Motion passed 4/0. Selectman Putnam moved to seal the minutes of this session. Selectman Daniels seconded. All were in favor. Motion passed 4/0. Chairman Fougere announced that in non-public session the Board discussed a personnel and a legal issue and one decision was made.

5:30 p.m. – Request to Appoint Rob Canty as a new member to the Recycling Committee. Rob Canty was present for this appointment and was asked to join the Board at the table. Mr. Canty indicated he was previously on the School Budget Committee and he still wants to be involved in the town, he has no experience with recycling. Mr. Canty is a school psychologist and has lived in Milford about 3 years. Selectman Daniels indicated that Rob Canty joined the Recycling Committee for a few meetings and has been a pleasant addition to the committee and contributes to the discussions. Selectman Putnam moved to appoint Rob Canty to the Recycling Committee. Selectman Daniels seconded. All were in favor. Motion passed 4/0.

5:35 p.m. – RSA 79-E Tax Incentive Warrant Article. Community Development Director Lincoln Daley explained Warrant Article for RSA 79-E Community Revitalization Tax Incentive Program and the provisions for the program which has been adopted by more than 24 communities. Adoption and implementation of the program would provide a public benefit by encouraging the revitalization and rehabilitation of structures in the extended downtown area. The first step to implement this tax incentive is to ask voters to adopt the Community Revitalization Tax Relief Incentive and to designate the area that would comprise the 79-E District. The second step would be to adopt rules, creation of the application and implementation of the program by the Board of Selectmen. A draft of the District map and a draft of the warrant article were provided for Board review. In his previous position, Lincoln Daley developed this program in that town. There are a lot of properties in Milford that could improve the property by utilizing this program. Selectman Daniels stated there is already a program in place that allows owners to borrow for improvements with a low interest rate loan. Mr. Daley responded that this program is actually a tax relief program for a temporary period of time, it is tax relief, not lower interest rates. Selectman Daniels asked if this lowers the amount of tax revenue for the town? Or will those taxes be added to other owners? Mr. Daley said it is underutilized, he does not see any impact for other tax bills. This is for rehabilitating a building which require large expenses to improve the property by adding a barn or a new building for example. Chairman Fougere indicated any application for this would come before the Board of Selectmen and it would have to meet the criteria that is estab-

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1 lished and then be approved. The criteria would be set up and this would be when an owner has to spend a lot of
2 money to rehabilitate the property and not pay extra taxes during the rehab period. This is an incentive for larger
3 rehabilitations. Selectman Putnam mentioned there are three zoning districts (commercial, limited commercial or
4 residential A), can the criteria be altered? Mr. Daley said the Planning Board feels it is important to have the Resi-
5 dential A in there; residential properties should be in the mix. Chairman Fougere said it is just smaller portions of
6 the district. Selectman Putnam would like to see the tax come off of the residential and focus instead on getting it on
7 the industrial; if we want it on the warrant we would need to decide tonight so that it can be at the Budget & Bond
8 hearing January 9. The benefit is also an increased tax assessment for improved properties. It would be a temporary
9 tax relief. Chairman Fougere added that it is for a limited number of properties. Mr. Daley said they are for denser,
10 older neighborhoods. On Nashua Street there are properties across from Commercial properties and along South
11 Street. Chairman Fougere has heard nothing but positive reviews on this program. If this Board of Selectmen does
12 not feel it meets the bar, we can review it. Selectman Daniels said government does not need to determine and reject
13 someone that applies for it. Selectman Putnam said that is why he wanted to keep the commercial or industrial in-
14 stead of the residential. Chairman Fougere said this Board can do that if we want to if we set up clear rules. The
15 next Planning Board meeting on January 3 will include this discussion. Budget & Bond is on January 9.
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17 Selectman Bauer asked if this is being presented because it needs to be a warrant article on the ballot?
18 Chairman Fougere said this is to get it on the warrant but we can eliminate what we want. It needs to have a benefit
19 to the town. Selectman Putnam said we need to spread out the tax base. We can always remove it if we find it does
20 not help. Chairman Fougere said we can discontinue it but it would need to go back to town meeting; all of the ap-
21 plications need to come before this Board. Selectman Daniels asked why the taxpayers should get any relief for
22 those 1-5 years while the property is being rehabilitated? Mr. Daley stated it is meant to be a long-term benefit to
23 the community. Selectman Daniels said there is a long term benefit but if the other taxpayers had an increase in
24 their taxes while this 1-5 year period is going, the taxpayers pay more to subsidize this property owner while the
25 rehabilitation is being done. Mr. Daley explained that the property owner would still pay taxes on the property, they
26 just do not pay for the increase (of the property assessment) until the rehab is complete. Chairman Fougere said
27 there is no subsidy, it stays at the same value while the rehab is being completed. Selectman Putnam would not have
28 a problem putting a warrant article on the ballot and see what happens with no residential and limited commercial.
29 Selectman Putnam is okay with trying something a little different. Selectman Daniels asked what about the loan
30 program through MIT? Mr. Daley explained this program would actually complement that program, they would run
31 hand in hand. Selectman Daniels asked what the threshold would be to qualify? Mr. Daley answered it is defined
32 by the RSA. Chairman Fougere said it would have to be a 15% improvement of the assessed value; if this passes,
33 we would come up with operational rules. Selectman Putnam moved to include this program as a warrant article.
34 Selectman Bauer seconded. All were in favor. Motion passed 4/0.
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36 Resident Harry Standel noted that things going on in other towns usually go to the next town; if you are
37 beginning a tax benefit program, people may move to Milford; surrounding towns will then follow suite, and that
38 might be something to consider. Massachusetts, Maine and NH are giving tax benefits to businesses. Chairman
39 Fougere said towns are very limited in what tax relief it can offer, this is one program that allows tax relief.
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41 **5:45 p.m. – New Gun Laws Affecting Schools.** The citizen who wished to have this item on tonight’s agenda was
42 not in attendance so there was no specific discussion; however Mr. Standel said that Federal and State laws pre-empt
43 any local laws. The Board of Selectmen has been chosen to represent the people of the town on issues. It is im-
44 portant that each of you discuss your position with respect to this matter. There are a number of people interested
45 in this, the citizens of town need to understand what position each of you has with this legislation. The citizens
46 should know your position with respect to this; are you for or against guns in the public schools? Selectman Bauer
47 thinks this is a school issue and if we have an opinion, we can go to their meeting. Chairman Fougere said this is a
48 school board issue. The law governing guns start with the Feds, then the State; what this Board thinks has no im-
49 pact. Selectman Daniels did not even know about this until just before the election. It is a school issue. Selectman
50 Putnam said 45 years ago he used to carry a gun in his truck when he went to school and eventually he was asked to
51 leave the gun at home and he would go get it to go hunt. Jenn Siegrist, Osgood Road, said this is a State issue not a
52 school issue. We know what guns are used for. They do not have a place in the schools. Ms. Siegrist was aiming
53 her words mostly toward Senator Daniels to see what he can do to change that at the State level. The schools are the
54 one place that (guns) are not allowed and the kids should not have to worry about that while they are in school.
55 They are talking about repealing the concealed carry permit so that police no longer know who holds that permit.
56 The police would have no knowledge of who has and does not have a gun. Ms. Siegrist requested of Senator Dan-
57 iels that he get it changed so that schools do not allow guns in them. Mr. Standel said this is an issue involving eve-

ry parent in town. To avoid discussing it is avoiding the responsibility and you must talk about your position on it. We are not talking about money, we are talking about kids' lives. This is a matter for everyone here.

3. PUBLIC COMMENTS. (items not on the agenda) There were no public comments this evening.

4. DECISIONS.

a) CONSENT CALENDAR. Chairman Fougere asked if any member wished to remove any items from the Consent Calendar for discussion. There was nothing removed for discussion. Selectman Putnam moved to approve the Consent Calendar as presented. Selectman Daniels seconded. All were in favor. Motion passed 4/0.

1) Request for Approval of Timber Tax Levy Map 1, Lot 10. The Board approved the Timber Tax Levy for Riley Brothers Lumber Co. in the amount of \$2,625.26.

2) Request for Approval of Petition and Pole License. The Board approved the Petition and Pole License for Federal Hill Road as presented.

3) Request for Approval to Change David Bosquet from an Alternate Member to a Full Member of the Conservation Commission. The Board approved the Conservation Commission change in membership for David Bosquet from Alternate member to Full member.

4) NH RSA 31:95(b) Request for Acceptance and Appropriation of Unanticipated Revenues or Gifts Under \$10,000. The Board approved the request for acceptance and appropriation of unanticipated revenues under \$10,000 as follows:

| <u>Source</u> | <u>Purpose</u> |
|-------------------|--|
| City of Lowell MA | Attendance by Tim Herlihy at the ICC Plan Review Institute Training Seminar during December 2016. This has a value of \$850. |

b) OTHER DECISIONS.

5. TOWN STATUS REPORT.

1) 2016 Year End Expenditure Forecast. Town Administrator Mark Bender indicated the expenditures for 2016 are between \$13.6 and \$13.7 million in a budget of \$13.8 million; therefore the town is coming in about \$100,000-\$200,000 under the 2016 budget and there are no recommendations for any immediate expenditures. Selectman Putnam asked if fund balance is low? Jack Sheehy responded that 5% is the lowest it can be, we are just under that. The town should add this to the Fund Balance at the end of the year since it needs a boost. Mark Bender briefly reviewed the 2016 list of accomplishments adding that the new Town Clerk has implemented several new things including expanded hours.

2) 2016 Highlights & Major Accomplishments.

6. DISCUSSIONS.

1) Town Operating Budget Review. Mark Bender indicated the 2017 budget is up only 1.2% and explained that the owner of a parking lot on Bridge Street has come forward and offered parking for town employees at a cost of \$6,000 (20 spaces) if the Town provides plowing of the lot; this amount was not added to the 2017 budget but Mark Bender feels it can be supported as a trial.

2) Warrant Article Review. The warrant articles were reviewed previously with a couple of open items. The Keyes Park Expansion project is awaiting input from the DMV which Selectman Daniels is obtaining regarding the relocation of that office during renovation. Recreation Director Arene Berry indicated that the Keyes Park Master Plan does not include putting money into the building. The recommendation is to get started on the Master Plan for the Park; it was not for the building. So if the DMV was to temporarily move to that facility, it would be 100% paid for by the State. Arene Berry said the committee did not have solid information about the DMV at that site. Selectman Daniels is confident that if the State decides that it will have to go to Nashua with the DMV, Milford will not have a DMV in Milford ever again. Ms. Berry responded that if the warrant article is put forward for \$25,000, is Selectman Daniels looking to put the DMV there if we are going to demo the building in the future? Selectman Daniels needs to talk to the DMV and find out their options. If Milford is going to raze the building, then it looks like the DMV will go to Nashua. Ms. Berry asked if a double-wide trailer could be put on the property for the DMV

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1 office? Chairman Fougere said the consensus of the committee was that the building was not worth spending money
2 on. Selectman Putnam said there is a disagreement on that issue. It is a beautiful building and needs some TLC.

3 Selectman Putnam said the committee has a plan for the park, they want to combine the lots and have trails, etc.
4 Recreation received a grant for exercise equipment that is a 50% match to be used at Keyes. The warrant article is
5 not money that will be wasted. Mark Bender said the warrant article is not for just 127 Elm Street, it is for Keyes
6 Park; \$25,000 will get the project started. Selectman Putnam suggested leaving this warrant article on the ballot.
7 Selectman Daniels asked if we are still thinking about doing more on Osgood Pond; there is some grant money he
8 has been trying to get information on. Mark Bender said there is still a little money left in the Osgood Pond account
9 that was earmarked for the boat launch. Selectman Daniels was asking if we wanted a capital reserve fund for Os-
10 good Pond instead of the Keyes Park? Selectman Putnam said this Board can find out during the year how much we
11 need. Jack Sheehy said we have a capital reserve fund already for Osgood Pond and it has been used up but the fund
12 is still there. Selectman Putnam asked if we want to put money to Osgood Pond this year or get money for the year
13 after (2018)? Chairman Fougere asked if we want to split the funds and have a warrant article for Osgood Pond and
14 one for Keyes, but for less money? It was agreed to keep this warrant article at \$25000. Selectman Putnam moved
15 to put this warrant article on the ballot. Selectman Bauer seconded. All were in favor. Motion passed 4/0. Jack
16 Sheehy said the Capital Reserve fund (Osgood Pond) does not have to be dissolved even if there is no money in it.
17 It was agreed to not fund Osgood Pond this year, wait until 2018.

18 Mark Bender indicated the current Labor Day Parade sponsor will not be sponsoring the parade in 2017 due to
19 lack of volunteers, and asking how the Board wants to write the Labor Day Parade warrant article. Selectman Bauer
20 asked if someone else could step up to sponsor it? Chairman Fougere suggested putting out a notice on the website
21 to see if there is a group that could sponsor it and run the parade by getting donors and volunteers. Selectman Dan-
22 iels said it takes about \$12,000 to run the parade; let's keep the warrant article on the ballot. All concurred.

23 **3) South Street Parking.** Mark Bender explained that a complaint letter was received today regarding the
24 four parking spaces that were removed in front of Amigo's, suggesting Board members take a look at the area then
25 we can discuss. Selectman Bauer asked what the dimensions were of those spaces. Chairman Fougere said they
26 were 9x22'. Mark Bender added that a small island will separate the two lanes at the oval intersection with South
27 Street. Selectman Putnam said the problem is when there are deliveries to Amigo's. Mark Bender said since South
28 Street was reopened there has been a significant improvement in traffic flow and congestion at the oval intersection.
29 If the parking in front of Amigo's is put back, it will create the congestion again. The town spent so much time and
30 money on that improvement, Selectman Daniels asked why an island would be added to cause congestion? Mark
31 Bender explained it would not be a curbed island, it will be an island that can be driven over. Selectman Bauer
32 asked if there will be any parking spaces in front of Amigo's? Chairman Fougere indicated the Board has received a
33 complaint and there have been hearings on the whole South Street plan. The plans were presented many, many
34 times. Town Administrator Mark Bender added that the town is now leasing 20 parking spaces on Bridge Street to
35 alleviate some of the parking issues around the oval.

36 **4) Snow Plow Damage.** All members should review the policy on snow plowing and damage that may
37 occur to see if any changes are required.
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39 **7. SELECTMEN'S REPORTS/DISCUSSIONS.**

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

41 b) **OTHER ITEMS (that are not on the agenda).**
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43 **8. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of November 28,
44 2016 as presented. Selectman Daniels seconded. All were in favor. Motion passed 4/0.
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46 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**
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48 **10. NOTICES.** Notices were read by Chairman Fougere.
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50 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into non-public session at 6:50 p.m. to approve
51 non-public minutes of October 24 and 31, 2016 and November 14, 2016. Selectman Daniels seconded. All were in
52 favor. Motion passed 4/0. Selectman Bauer moved to come out of non-public session at 7:00 p.m. Selectman Put-
53 nam seconded. All were in favor. Motion passed 4/0.
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55 **12. ADJOURNMENT:** Selectman Putnam moved to adjourn at 7:00 p.m. Selectman Bauer seconded. All were in
56 favor. Motion passed 4/0.
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