

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
May 22, 2017

PRESENT: Mark Fougere, Chairman
Kevin Federico, Vice Chairman
Gary Daniels, Member
Mike Putnam, Member
Laura Dudziak, Member
Mark Bender, Town Administrator
Darlene J. Bouffard, Recording Secretary
Mitchell Hemmer, Videographer

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

INSTRUCTIONS: Chairman Fougere called the meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Fougere indicated the Board held a non-public session (reputation) at 5:00 p.m. this evening, after which he announced that one decision was made. 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:

5:00 p.m. – Non-Public (RSA 91-A:3, II(c)) Reputation. Selectman Putnam moved to enter into non-public session for reputation. Selectman Daniels seconded. All were in favor. Motion passed 5/0. After discussion, Chairman Fougere announced that in non-public session one decision was made. Selectman Putnam moved to come out of non-public session at 5:15 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Selectman Putnam moved to seal the minutes of this non-public session. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.

5:30 p.m. – Milford Improvement Team (MIT) Announcement. MIT Board members Alan Woolfson, Ed Killam and Kent Chappell as well as MIT Director Wendy Hunt were present for this appointment. Mr. Woolfson announced that Ms. Hunt has taken a position with the Souhegan Valley Chamber of Commerce (SVCC) and therefore MIT will be without an Executive Director. The organization has decided that for now it will not hire for the position and will look at things to see where we will go from here. Ms. Hunt stated that the Pumpkin Festival will go ahead as a joint event with MIT and the Chamber, to see how that goes and then the Board will decide how to handle events going forward. There is a level of money in the bank to keep the organization going for another three years and MIT has been discussing using it for non-profits that need the charter. Right now, the organization will go into neutral. There is a MIT Board meeting in June to discuss everything. The Recreation Department might want to take on some things that MIT had been doing. If the Chamber of Commerce is not going to do some activities, the town might want to consider picking them up.

Wendy Hunt stated that she has enjoyed working in Milford and said the Pumpkin Festival is the number one thing to do in New Hampshire. Lots of non-profits rely on this for their major fundraiser, and she thinks it could be run by the Chamber of Commerce. After discussing it with Mark Bender and the Board, we feel it is still a worthy event. In going forward, if MIT does not hire an Executive Director, the Chamber of Commerce might want to take the Taste of Milford as well and broaden it outside of Milford. Wendy wants to follow through with her job responsibilities through the rest of the year and she can still help with the Holiday fairs as well.

Mr. Woolfson said everyone will miss Wendy. Ms. Hunt said that Milford is a member of the Chamber so everyone will still see her around. Chairman Fougere asked if there are thoughts about the viability of the organization. Mr. Woolfson said there are Board members that have been on the MIT Board for a long time, so they want to assess and look at the mission. MIT has become more of an events organization, but wants to get some younger members to step up. Wendy Hunt said she had to become focused on the events more, in order to bring in revenue, but MIT still does the other projects. Chairman Fougere stated everything is a process and needs to be evaluated and it is probably time to look at where MIT is going. All members thanked Ms. Hunt for her time and the MIT committee members also thanked her. Chairman Fougere thinks people in general think that the festival just happens every year, but it is a lot of work. Mr. Woolfson said the people that are old enough to remember what the oval looked like before MIT was involved would be shocked at the difference. We want to keep it looking great.

1 Ms. Hunt said she will present her usual letter for the festival to the Board of Selectmen. Selectman Dan-
2 iels congratulated Wendy on her future position. Ms. Hunt said she is looking forward to continuing to work with
3 Milford.
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5 **5:40 p.m. – Abatement Dispute, Map 52, Lot 21-16.** In response to a letter from the Town Assessor Marti Noel
6 recommending denial of his abatement application, Mr. Nick Darchik felt like the first response to his request was a
7 knee jerk reaction and he wanted to have the opportunity to review the details with the Board. Mr. Darchik said he
8 did not mention the photos and the camera lens used for the photos of the airplanes. If anyone here had to deal
9 with the noise he endures, and the persistent noise that does not go away, he is sure you would all be asking for an
10 abatement. When working on a report for the Conservation Commission recently, he was interrupted by two planes
11 that flew by that were so loud he had to put his tools down. The noise takes away from the ambiance of what Mil-
12 ford used to be. Mr. Darchik came to Milford in 1998; since then things have encroached, there are a lot of transi-
13 ents coming and going now. For people who spend their time at home, they are aware of all the changes in Milford.
14 When he was working, he only dealt with the noise at home at night or in the evenings or weekends. Now being
15 retired, he is home all the time. In Manchester, 2004 saw the east/west runway put in; he can no longer enjoy the
16 outdoors that brought him to Milford. As Selectmen, how can you help the residents; people come to Milford for
17 the quaintness that used to be in Milford. When working for the USAF stateside, Mr. Darchik did not have half the
18 air noise as what he has now in Milford. Tonight he is here to talk to the Board about the noise and to see what can
19 be done about the planes flying over Milford.

20 Mr. Darchik explained that in Massachusetts, there was opposition to the flight pattern, and out of that, the
21 flight patterns were changed. All of the planes line up right over Milford. The photos in tonight's packets show the
22 planes going directly over Mr. Darchik's house. The information provided is for the Board to review. Chairman
23 Fougere asked if anyone had any questions. Selectman Putnam understands the noise, as he also hears it and he re-
24 members when the east/west route started and that there were a lot of complaints from this town and out of that the
25 routes changes and some of the planes flew higher as well. Mr. Darchik responded that flight patterns have changed
26 over Milford again and that is why they are more consistent over Milford again. Chairman Fougere said this is the
27 first time there is an issue like this noting that the Board represents approximately 15,000 people, the tax rate is
28 based on everyone putting in their portion of the money; it is a balancing act. There is a lot of material here that was
29 submitted, and he is not sure if there are other people in the neighborhood that have the same concern. Dealing with
30 the FAA can be challenging. Mr. Darchik asked if the Board can try to contact the FAA because he thinks as a
31 town, you have more clout than a single person. Mr. Darchik thinks there are other people that have the same con-
32 cern.

33 Ms. Noel's concern is that Mr. Darchik did not say that his house is affected individually. The planes af-
34 fect the entire town; and she cannot isolate just the one property. Chairman Fougere asked if the swath of residences
35 affected has been looked at? Selectman Putnam said this type of abatement would set quite a precedent. Vice
36 Chairman Federico moved to Milford in 2000; when he hears more than one very loud plane he goes out to look, he
37 has not noticed it every day, but he does notice. To him they are not predictable. Every now and then yes, but this
38 would affect a majority of the town. Mr. Darchik said it has to do with the town's elevation within the flight pattern
39 of the planes. Chairman Fougere has heard the same story with people in Manchester and when flying out of Man-
40 chester, the planes fly directly over some people's homes. Chairman Fougere said he and/or Mr. Bender can reach
41 out to the airport or FAA and see if (changing the flight pattern) can be considered, but no promises. Mr. Darchik
42 thanked the Board for their time. This will be discussed again at the next Board meeting.
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44 **5:55 p.m. – Property Abatement Applications Approval and/or Denial, All Veterans Tax Credit, Veteran's**
45 **Credit, and Application for Current Use, Map 5 Lot 32.**

46 All Veteran's Credit – Ms. Noel recommends approval of 2 new All Veteran's Credits. Vice Chairman Federi-
47 co moved to approve the 2 All Veteran's Credits as recommended. Selectman Putnam seconded. All were in favor.
48 Motion passed 5/0

49 Standard Veteran's Credit – Ms. Noel recommends approval of 1 new standard veteran's credit. Selectman
50 Daniels moved to approve as recommended. Selectman Putnam seconded. All were in favor. Motion passed 5/0.

51 Abatements – Ms. Noel presented the two abatement applications, with the recommendation for approval of 1
52 application and denial of 1 application. Selectman Putnam moved to approve the North River Road abatement ap-
53 plication as recommended. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

54 Ms. Noel presented the application for abatement being recommended for denial. Selectman Daniels indicated
55 that since he has a professional relationship with Mr. Darchik, he will recuse from the vote. Vice Chairman Federi-
56 co moved to deny the Melendy Road application for abatement as recommended. Selectman Dudziak seconded for
57 discussion. Selectman Putnam thought that the town was going to contact the FAA on this application to get addi-
58 tional information. Vice Chairman Federico withdrew his motion. Selectman Dudziak seconded. All were in favor.

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1 Motion passed 5/0. Vice Chairman Federico moved to table this application to the next Board of Selectmen meet-
2 ing. Selectman Dudziak seconded. All were in favor. Motion passed 5/0.

3 Land Use Change Tax (LUCT) – Ms. Noel indicated a portion of this property qualifies for Current Use due to
4 the amount of wetland. Ms. Noel recommends putting the qualifying portion of Map 5, Lot 32 into Current Use.
5 Selectman Putnam moved to the qualifying portion of Map 5, Lot 32 into Current Use. Selectman Daniels second-
6 ed. All were in favor. Motion passed 5/0
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8 **6:05 p.m. – Eagle Scout Project Request.** Eagle Scout candidate Chase Woods is proposing to remove tires from
9 the Souhegan River for his Eagle Scout project. When kayaking in the Souhegan River, Chase noticed a lot of tires
10 had been disposed of in the river and thought it would be a great project to remove them. When he pulls the tires
11 out, he would request that the fee at the Transfer Station be waived. He expects that over 30 tires will be pulled out
12 of the river. The Department of Environmental Services has approved the project as long as no machinery is used
13 and that the tires be pulled out when the river flow is low. Selectman Putnam moved to waive the fees for the tires
14 that are removed from the river by Chase. Selectman Daniels seconded. Selectman Daniels indicated that the Eagle
15 Scout project is normally to plan a project and get the resources to finish the project. In this case, Chase has no need
16 to spend any money for the project. If he needs additional equipment he would have to raise funds. Selectman Dan-
17 iels commended Chase for identifying the need and coming up with a project that does not require fundraising.
18 Chase said he has access to kayaks and he plans to have other teens help with an adult supervisor. Chairman Foug-
19 ere suggested using poison ivy protection when working on the banks of the Souhegan River. All were in favor.
20 Motion passed 5/0.
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22 **6:15 p.m. – Ambulance - Departmental Update.** Ambulance Director Eric Schelberg provided a departmental
23 update to the Board. Mr. Schelberg indicated that the department has been busy and that so far in 2017 they have
24 had 669 calls, which is the equivalent of 7 calls per day. Many days there has been 10 calls and he expects to get up
25 to about 1950 calls for the year. Calls have gone up and down for several years and in July 2016 a staffing change
26 was implemented. Both ambulances have been available 24/7; mutual aid requests have changed from 42 calls a
27 year, now the department is down to about 12 mutual aid calls per year. Selectman Daniels asked if there is any
28 software that allows the staff to identify where beds are available at different hospitals? He has heard that because
29 of the opioid crisis patients have been hanging around in hallways in beds waiting for a room. Mr. Schelberg re-
30 sponded that if a hospital cannot take an emergency patient from an ambulance, they will let the staff know the pa-
31 tient cannot be brought to that emergency facility, but that is very rare. In Southern NH it is not uncommon for pa-
32 tients to be in the hallway beds, it might not be because of the opioid crisis, but because people go to the ER because
33 they are sick and when it is overfull they are in the hallway on a bed waiting. There is nothing in real time that staff
34 can see as far as bed availability. There are other programs that we can see on the I-pad to get information about
35 each hospital. Heroin activity has declined; Narcan is now available to the public. People have Narcan available to
36 them so they may not call an ambulance. Right now Mr. Schelberg does not know what is happening with the Af-
37 fordable Care Act but the uninsured population are the unpaid billings on the chart provided. Chairman Fougere
38 asked about the collections company that is being used. Mr. Schelberg talked about concerns with that collections
39 company and said now the owner is taking over the account for Milford. He has been responsive and agreed that a
40 better job needs to be done. They are collecting over 94% on the commercial side. Blue Cross/Blue Shield has a
41 97% collection rate all the others have a 96%.

42 Mr. Schelberg said there is money slipping through the cracks and we need to petition the legislative body to
43 tighten it up. The call volume and billings are going much better since the transition. The personnel transition has
44 settled out very well and the department has state-of-the-art equipment out there. Vice Chairman Federico asked
45 about staffing levels; have you seen any issues of staff moving around? Mr. Schelberg said there has been competi-
46 tion and we have been able to attract people. People have moved around but not because of a better offer. In this
47 area we need to look at the rate of pay, we are good but we should look at it. Vice Chairman Federico asked about
48 the three ambulance vehicles (two at the ready and one ready-spares) – do you just keep the ready spare sitting there?
49 Mr. Schelberg responded that he will be putting the spare into service soon. Selectman Putnam asked how do we
50 use the third ambulance? We should look at that if we are going to use it, it might need to go to the voters. Mr.
51 Schelberg responded that he is moving the third unit into the rotation. Vice Chairman Federico indicated that one is
52 being pulled from the rotation and another is being put into the rotation. Selectman Putnam just does not want peo-
53 ple to get upset. There were no further questions.

54 If the 2001 ambulance can be put into the rotation, Selectman Putnam asked why did we buy two new ambu-
55 lances at the same time? Chairman Fougere said we discussed those at length at the time. Putting the 2001 ambu-
56 lance into the rotation is to alleviate mileage being put on the new ambulance. We are at 100,000 miles on the first
57 new ambulance so he is trying to keep the new ambulance lower by limiting the miles. Selectman Putnam is just
58 bringing it up to be prepared.

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3. PUBLIC COMMENTS. (items not on the agenda). Selectman Daniels watches different committee meetings and would like to be able to hear the people speaking but we are not getting good audio, the speakers are not close enough to the microphones. We all need to do a better job when speaking at meetings. Selectman Putnam received a similar complaint. Jack Sheehy indicated the static issues were because of the cordless mics; there are a lot of problems in other communities that televise meetings, it is not only the Board of Selectmen meetings and it is not only Milford. Mark Bender will send a reminder to all committees for people speaking to speak into the microphones better.

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 from the Consent Calendar for discussion. Selectman Putnam moved to approve the consent calendar. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

- 1) **Request for RSA 79-E Community Revitalization Tax Incentive Program Review and Application Fee.** The Board approved request for application fee of \$50 for the Community Revitalization Tax Incentive Program Review in order for the town to join.
- 2) **Acceptance and Approval of Boundary Line Between Milford and Lyndeborough.** The Board approved the town line between Milford and Lyndeborough as presented by Town Lands Researcher Raine Carson after many years of research and dispute that has been ongoing since 1980.
- 3) **Request for Approval to Change Rob Costantino from an Alternate members to a Full Member of the Zoning Board of Adjustment.** The Board approved changing Rob Costantino from an Alternate to a Full member of the Zoning Board of Adjustment.
- 4) **Request for Approval of Three (3) Timber Tax Levy's.** The Board approved three Timber Tax Levy's as follows: Map/Lot 54-2 \$2,382.63; Map/Lot 54-3 \$535.97 and Map/Lot 54-10 \$3,064.28.
- 5) **Request for Approval of Donation to the Heritage Commission "Save the Swing Bridge" Fund.** The Board approved acceptance of the donation for the Save the Swing Bridge Project in the amount of \$100.00
- 6) **Acceptance and Appropriation of Unanticipated Revenue Under \$10,000 (31:95(b)).** The Board approved the acceptance and appropriation of unanticipated revenue under \$10,000 as follows:

Source	Amount	Purpose
Town of Hollis	\$300.00	Donation to the Milford Police Department for the IPMBA Mountain Bike training to cover the costs of two Town of Hollis Police Officers.

b) **OTHER DECISIONS.**

5. TOWN STATUS REPORT.

1) **South Street Update.** Town Administrator Mark Bender said South Street is looking good, there is about 3-4 weeks of work left. Selectman Daniels said it appears we can get one space back on South Street. The Traffic Safety Committee has not met about that yet, but he talked with Tom Jameson, Engineer at the State, and it appears that if we make any change to the CLD plan, it would have to go back to the State and be reviewed. We were waiting on documentation but he is not sure of the status. Chairman Fougere asked once the project is closed, can we take another look at it? Mark Bender said technically we can. The Traffic Safety Committee can look at the turn radius for two different size trucks and the plan was given to Tom today. Selectman Putnam asked what size trucks? Mark Bender responded 50 or 65 foot trucks.

2) **Fletcher Site Update.** Mark Bender indicated the installation of monitoring wells is currently in progress. The end is near and should be completed just before July 4.

3) **Paving Update.** Selectman Putnam commented that the pavement just beyond Keyes Drive is in really bad shape. Mark Bender will look at that. A paving evaluation is planned for tomorrow morning.

4) **Prospect Street Lot Update.** The First Public Hearing has been scheduled (to sell the lot) for June 12.

5) **Osgood Pond Update.** The dock was installed last week, the access was improved as was the launch area. Chairman Fougere said last Friday there was a call complaining that kids were swimming off the dock. Chairman Fougere is not aware of any prohibition of swimming at Osgood Pond. Selectman Putnam suggested that the insurance be asked regarding liability. Mark Bender will check with Primex. We should talk to the insurance company before we do anything. Mark Bender will look into that to see about signage. A draft memorandum of understanding for recreation fields was sent to Board members to review and discuss. Chairman Fougere would like Recreation, DPW, MCAA and the Recreation Commission to talk about the draft MOU.

6. DISCUSSIONS.

1) **Town of Milford Board of Selectmen Rules of Procedure.** Mark Bender indicated that many towns have rules of procedure to document the different aspects of the Board positions. Mr. Bender thought it would be a good idea for Milford to provide the type of guidance to new Board members. This is a draft document and we can make changes and try to establish our rules. Selectman Putnam said for his first term a box of information was given to new selectmen to review after the election. Mark Bender asked that any comments on the draft be brought to the next meeting.

7. SELECTMEN'S REPORTS/DISCUSSIONS.

a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Vice Chairman Federico asked where the MACC Base Board of Governor's stands? Selectman Putnam said they are meeting on Thursday for a work session and they also met last week. We are going to pick a system and look at financing and get back to the Board of Selectmen. Selectman Putnam said the BOG has \$188,000 from a grant to use toward a system. We want to chase more current money to add to that. Selectman Putnam is going to push test sites. Vice Chairman Federico asked how long will that take? Selectman Putnam said not long, it is only him and a Mont Vernon rep. Vice Chairman Federico does not have a whole lot of faith in the BOG. We have had two system manufacturers come to show the Boards what is available and there has been no progress moving forward. Selectman Putnam said nothing has been moving forward on this end either with no additional meetings. Vice Chairman Federico said he got called out at the last meeting for not having an agenda, it is ridiculous, and he has no faith in the BOG and they will sit on it for another four months and will not have anything in time for budget season. Selectman Putnam asked that Vice Chairman Federico not speculate. Chairman Fougere asked if the ambulance and police were at that meeting? Selectman Putnam said they were there at the last meeting. Chairman Fougere asked if the BOG will have something by July? Selectman Putnam said yes, we have to meet with the other department heads. Radio complaints are one thing to be discussed. Vice Chairman Federico asked why he was accused of speculating when you are talking about it going out to July/August. Selectman Putnam responded that the BOG is having a meeting on Thursday and we have to identify how to fund it and how to re-write the agreement.

Chairman Fougere asked if new equipment is on the table? Selectman Putnam responded with yes, the new technology that was discussed is on the table. Vice Chairman Federico indicated the simultaneous broadcast is what we need. Selectman Putnam indicated yes, and we will look at that again. Chairman Fougere wants to look at all the possibilities. It is important to have answers sooner rather than later, budget season will be here before we know it. Selectman Putnam said we will make the decision and hope the Board of Selectmen back up the BOG. Selectman Putnam wants to fix it and we can do it over time. Chairman Fougere said it has to solve the current problem. Vice Chairman Federico strongly disagrees with Selectman Putnam and does not have faith in the leadership at MACC Base. He thinks we need to go out on our own and take the communications with us. We need to worry about Milford, but we don't need to worry about it tonight. Vice Chairman Federico asked Selectman Putnam to keep the Board of Selectmen posted. Mark Bender suggested Selectman Putnam advise us if he wanted to be on the next agenda and we can distribute the material you have for the Board.

Selectman Daniels said that David Bowden has been on the Recycling Committee for many years and he passed away May 3, he was known for his sense of humor. May 27 there will be a service.

b) **OTHER ITEMS (that are not on the agenda).** Chairman Fougere indicated he has received a letter regarding the railroad. For those who may not be aware, ever since B&M railroad abandoned this railroad, it was taken over by Milford Bennington railroad which brings down stone from Wilton and they have been feuding and fighting to get him off the line. B&M comes out here once a week, if that, and Hendrix is the only customer, and possibly Hitchiner's. Chairman Fougere got approached by the operator, Peter Leishman, to see if Milford would send a letter of support for the railroad to continue the operation as it is a very efficient mode of transportation for that type of material in NH and keeps thousands of trucks off the roadways. Chairman Fougere asked for input from

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1 other members. There were no concerns and consensus was to support this request. Chairman Fougere will send a
2 letter to Washington.

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4 **8. APPROVAL OF FINAL MINUTES.** The minutes of May 8, 2017 were reviewed. Selectman Putnam moved
5 to approve as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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7 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**

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9 **10. NOTICES.** Notices were read by Chairman Fougere.

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11 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into non-public session at 7:26 p.m. for repu-
12 tation. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Vice Chairman Federico moved
13 to unseal the NPS minutes of May 8, 2017 for review. Selectman Dudziak seconded. All were in favor. Motion
14 passed 5/0. Vice Chairman Federico moved to approve the non-public minutes of May 8, 2017. Selectman Daniels
15 seconded. All were in favor. Motion passed 5/0.

16 Vice Chairman Federico moved to unseal the minutes of the non-public sessions of February 11 and March 5,
17 2013 for review. Selectman Dudziak seconded. All were in favor. Motion passed 5/0. After review, Selectman
18 Daniels moved to permanently unseal the minutes of February 11 and March 5, 2013. Selectman Putnam seconded.
19 All were in favor. Motion passed 5/0.

20 After non-public session, Chairman Fougere announced that in non-public session the Board discussed a reputa-
21 tion issue and approved one set of non-public minutes of May 8, 2017 and permanently unsealed two sets of 2013
22 minutes and made no other decisions. Vice Chairman Federico moved to re-seal the NPS minutes of May 8, 2017.
23 Selectman Dudziak seconded. All were in favor. Motion passed 5/0. Selectman Putnam moved to come out of
24 non-public session at 7:27 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.

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26 **12. ADJOURNMENT:** Vice Chairman Federico moved to adjourn at 7:27 p.m. Selectman Putnam seconded. All
27 were in favor. Motion passed 5/0.

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32 Mark Fougere, Chairman

Kevin Federico, Vice Chairman

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36 Gary Daniels, Member

Laura Dudziak, Member

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40 Mike Putnam, Member