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APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
November 8, 2010

PRESENT: Tim Finan, Chairman
Gary Daniels, Vice Chairman
Katherine Bauer, Member
Mike Putnam, Member
Nate Carmen, Member
Guy Scaife, Town Administrator
Darlene J. Bouffard, Recording Secretary
Jodie Gaffney, Recording Secretary

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Finan called the meeting to order at 5:30 p.m. Chairman Finan introduced Board members and led the audience in the Pledge of Allegiance. Chairman Finan noted 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. – Second Public Hearing on Ordinance 2010-012 to Repeal Milford Municipal Code 7.28 –Private Recreation Areas. Chairman Finan opened the public hearing at 5:30 for the second reading of ordinance 2010-012 to repeal Milford Municipal Code 7.28 Private Recreation Areas. Chairman Finan indicated this was recommended to be repealed by Chief Douglas. There were no questions from the public. Chairman Finan closed the public hearing at 5:33 p.m. There were no questions from the Board. All members concurred for this to move forward to its final reading on November 22, 2010.

5:35 p.m. – Second Public Hearing on Ordinance 2010-011 to Amend Milford Municipal Code 4.04 – Dogs. Chairman Finan opened the public hearing at 5:33 p.m. for the second reading of ordinance 2010-011 to amend Milford Municipal Code 4.04 – Dogs. Chairman Finan explained this ordinance was originally enacted in 1972 and was recommended to be brought more up to date. Some things were added regarding enforcement and where dogs can and cannot be allowed to run on or off leash. During discussion on a previous version of this ordinance there were recommendations made to identify where dogs can run off leash which has been incorporated. The only change in this reading is to change the wording from the dog being “destroyed” to it being “surrendered to an appropriate agency . . . “ Chairman Finan asked for public comments. Gil Archambault thanked the Board for amending this ordinance and presented handouts to the Board regarding pet waste. Mr. Archambault asked for a copy of the ordinance prior to its final approval, which Mr. Scaife provided to him. There were no other public comments. Chairman Finan asked for comments from the Board, there were none. Chairman Finan closed the public hearing at 5:40 p.m. Board consensus was for this amended ordinance to move to its final reading on November 22, 2010.

6:00 p.m. – Departmental Update – Community Development. Bill Parker, Community Development Director, presented a Community Development update for 2010. Highlights include the implementation of the Geographic Information System (GIS) and completion of the West Side Oval Foundation issues. The businesses on that side of the oval are now operating safely and the buildings are sound. Planning and zoning permit numbers are down, however, building inspections are up. Industrial expansion was approved for two major companies: Alene Candles was approved for a 17,000 square foot expansion and Hitchiner Manufacturing was approved for a 46,000 square foot addition. There are also Master Plan efforts going on as well as the Economic Development Advisory Committee that has three subcommittees. Sarah Marchant has been working with the consultant to finalize the GIS database. Complaints have been resolved, mostly against developers and neighbors. The South Street Transportation Enhancement Grant continues to move forward as does the Downtown Traffic Improvements Project. The Route 13/Emerson Road improvements will be presented to the State for the CMAQ Grant, and is based on air quality improvements. If granted, a Warrant Article will be needed for the town match of 20%. The Osgood Pond project is continuing and the department is recruiting hotel/motel developers to Milford. Public outreach and education efforts for energy efficiency and sustainability are ongoing. Selectman Bauer stated it is obvious that the office has become very busy; by 2012 or 2013 she anticipates the office will need to look at additional staff. Everyone is working hard, Sarah Marchant took on the GIS and the town doesn’t want to burn anyone out. Shirley and Kathy also do a fantastic job. Bill Parker thanked Selectman Bauer for that acknowledgement; Sarah Marchant is qualified to run the GIS

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 11/08/10

1 program, but will need help with data entry and keeping up with the demand - that would be the area he sees will
2 need additional help in the department.
3

4 Vice Chairman Daniels asked about the aerial GIS and how far that can zoom in? Mr. Parker responded
5 that it can get pretty close, when on line you can look at that. Vice Chairman Daniels asked if that could be used in
6 place of perambulation. Mr. Parker did not know if it goes that close and is not sure what the boundary markers are.
7 Vice Chairman Daniels indicated the perambulation was supposed to happen this summer but it has not been done, if
8 the markers can be viewed from the air, it can be looked at that way. Bill Parker said he would look into that. Guy
9 Scaife noted that GIS will be a great asset but it does not solve the problem, most markers have been grown over or
10 are in a wooded area. Lyndeborough and Milford did some perambulation, and it is nice that it can be worked into
11 GIS which can produce the coordinates so it is easier the next time. Guy Scaife also noted that six months ago the
12 west side of the oval was an issue and was a challenge technically and emotionally, but it worked out. Guy Scaife
13 noted that Hitchiner Manufacturing recently had a ground breaking ceremony for the addition – this is a national
14 corporation that is choosing to stay in Milford. Mr. Scaife spoke with a senior manager who complimented the town
15 and felt that it went flawlessly. It was nice to hear that the industry was expanding which will provide additional
16 jobs in Milford. The addition is also being built out of profit and is not built with a bank loan. Selectman Bauer
17 added that she also attended the ceremony and felt it was exciting to talk to the people up there; they are very into
18 Milford and not wanting to move out of town – John Morrison was there as well and it was nice talking with him.
19

20 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** There were no public comments.
21

22 **4. DECISIONS**

23 a) **CONSENT CALENDAR.** Chairman Finan asked if there were any items to be removed from the Consent
24 Calendar. There were none. Selectman Putnam moved and Vice Chairman Daniels seconded to approve the Con-
25 sent Calendar items as follows, with all members in favor.
26

- 27 1) **Request to Amend October 12, 2010 Board of Selectmen Meeting Minutes.** The request to amend
28 the Board of Selectmen meeting minutes of October 12, 2010 was approved.
29
- 30 2) **Request for Appointment of Joseph McKenna and Olivia A. Dudley as Full-time Police Officers.**
31 The request for appointment of Joseph McKenna and Olivia A. Dudley as full-time police officers was
32 approved.
33

34 b) **OTHER DECISIONS**

- 35 1) **Development of Fletcher Paint and Savage Well Superfund Site Questions in Advance of November**
36 **15, 2010 Meeting.** This meeting is scheduled for November 15, 2010, at 7:00 in the Board of Selectmen
37 meeting room. Questions have been sent to Dawn Griska from Chairman Finan. Chairman Finan noted he
38 would just like an update on this project from the EPA. Selectman Bauer is sure that questions will come
39 up at the time of the presentation.
- 40 2) **2011 Potential Warrant Articles List.** Chairman Finan indicated the list attached in the packet includes
41 potential preliminary warrant articles. There are two housekeeping items from Lorraine Carson, for which
42 the memos with the details are also included. Guy Scaife said there are two additional warrant articles that
43 are not on the list and will be added: Solid Waste Cooperative and Single Stream. Specific verbiage needs
44 to be finalized and will be before this Board for discussion on December 13.
- 45 3) **Request to Approve Colonial Penn Life Insurance as a “Town Sponsored” Plan for Town Employee**
46 **Retirees.** Ruth Bolduc is asking for the Board of Selectmen to accept Colonial Penn Life Insurance Com-
47 pany as an approved health plan for the retirees. Guy Scaife explained that Harvard Pilgrim is the only ap-
48 proved plan through the town and adding Colonial Penn Life would allow another plan for retirees to
49 choose from. If approved, a presentation will be given to the retirees to allow them to figure out if they
50 want to stay with their current vendor or use this new one. Selectman Bauer is concerned with a conflict of
51 interest if Vice Chairman Daniels is involved. Vice Chairman Daniels noted he will recuse from any vote
52 on this issue. Selectman Bauer clarified if a retiree chooses to sign up, will Vice Chairman Daniels be that
53 person? Vice Chairman Daniels said he will. Chairman Finan believes the only conflict of interest is when
54 it comes to the vote. Selectman Putnam noted this decision is just to have the choice; he does not see any
55 conflict. Guy Scaife and Ruth Bolduc do not see any conflict or it would not have been brought to the
56 Board. Selectman Carmen said there previously was no other option, this would provide another alterna-
57 tive. Selectman Bauer thinks it looks like a conflict of interest. Selectman Carmen moved to name Colon-
58 ial Penn Life Insurance Company as a town sponsored plan. Chairman Finan seconded. Selectman Putnam,

1 Selectman Carmen and Chairman Finan were in favor, with Selectman Bauer opposed and Vice Chairman
2 Daniels abstaining. Motion passed 3/1/1.
3

4 **5. TOWN ADMINISTRATOR REPORT**
5

6 a) **Budget Update.** Guy Scaife advised the Board that there would be a budget report at the November 22
7 meeting, after at least one more session with Budget Advisory Committee (BAC); minor modifications and updates
8 will be made, Jack Sheehy can be contacted for a hard copy.
9

10 b) **Osgood Pond Dredging Project Update.** Guy Scaife advised the Board that the meeting with the Army
11 Corps of Engineers had to be pushed out a week to November 19, so there is no update at this time. On November
12 19, 2010 there will be a conference call with the EPA to analyze the settlement data, samples, and to make sure that
13 the EPA is in sync with Milford as we move along with this project.
14

15 c) **Miscellaneous.** The DO-IT Board reviewed the last Pumpkin Festival, discussing its strengths and weak-
16 nesses. They feel that this year the Pumpkin Festival was extremely successful; there were a lot of volunteers and a
17 lot of publicity and Guy Scaife noted that there were approximately 5000+ more people in attendance than last year.
18 Tracy Bardsley, DO-IT Director, will be at the next Board of Selectman meeting November 22 to bring forward ad-
19 ditional data.
20

21 Tomorrow evening, November 9, 2010, the weather service will be having a presentation for Citizens called
22 CoCoRaHS (Community Collaborative Rain, Hail and Snow network) - a non-profit community based network of
23 volunteers who track rain, snow, hail, and precipitation. We, as the Town of Milford, have a gauge located at the
24 Waste Water Treatment Facility, in which we are able to collect data. This data is critical to local state and national
25 agencies in terms of assessing current levels of precipitation and making forecasts. The presentation on November 9,
26 2010 is at the Police Station at 7 p.m. The public is welcome to attend. This will also be publicized on the web.
27

28 Fire Academy Award Recipient- Guy Scaife passed on congratulations to our own Fire Chief Frank Fraitzl III,
29 who was a Fire Academy Award Recipient recently at the Fire Academy. This is a very distinguished award, and
30 Chief Fraitzl was chosen for the excellence and leadership he has demonstrated for more than 2 decades!
31

32 **6. DISCUSSIONS:**
33

34 a) **Proposed Fire and Ambulance Facility Plan.** Chairman Finan began by reading a statement to update the
35 public on the discussions surrounding the land located next to the current fire station; up until now, these discussions
36 have been non-public session. The Board has now come to agreements on 3 properties: 98 Nashua Street, 18 Pine
37 Street, and the lot behind Pine Street which will be before voters in March 2011. With the absence of the 4th lot, on
38 the corner of School Street and Nashua Street, the 3 lots combined total \$500,000. These sales agreements are con-
39 tingent upon voter approval. \$500,000 is the amount for the land purchase only, and does not included demolition or
40 engineering. The Board feels that these are fair prices for the Town and the property owners. The Board needs to
41 decide how to move forward with this proposal and we need to decide soon, as acquiring these properties would be
42 in the best interest of the town, but is contingent upon voter approval. Therefore; the Board of Selectman needs to
43 get the word out to the voters with marketing efforts and convince voters that this is the way to go. Selectman Bauer
44 suggested that the Town go for a Warrant Article for the land acquisition, although this economy is not as good as
45 we thought it would be. Chairman Finan agrees that it will be tough in this economy, but if we do not go for the
46 whole thing, what are we solving? We do not know if the voters will approve anything. Selectman Bauer suggested
47 looking at it as Step 1 in a phased process. Selectman Carmen said that if the town buys the land and there is no
48 support for the building, the land can always be sold, and that the land is also a good asset to have, especially with
49 the parking problems.
50

51 Selectman Putnam agrees it will be tough to ask the voters for \$6 million for this – but that number was thrown
52 around as a guess from the original engineers. We need to get accurate numbers, and the only way to do this is to
53 start with the land, then the building. Selectman Putnam feels we need to phase this project, starting with the prop-
54 erty first. It is in the best interest of the town to have one facility shared between the Fire and Ambulance Depart-
55 ments, because it will cost the least amount of money and maintenance in the long run. Vice Chairman Daniels
56 questioned the priority of warrant articles, and where would this fit? We've heard in the past that the primary prob-
57 lem is that the Ambulance Department needs space to fit ambulances in the building. Vice Chairman Daniels does
58 not feel that buying the land will solve this problem that the Ambulance is facing. He would like to see fire engines,

1 a fire station and other capital items identified in the CIP, but wants to prioritize and be realistic with what those
2 items will cost. Do we take a phased approach for the project, or do it as a whole? Chairman Finan stated that the
3 Board does not need to vote tonight, however we do need to get the ball rolling.
4

5 Selectman Bauer asked if it is passed in March, what budget would the land acquisition cost would go in? Guy
6 Scaife stated that it would not show up until the 2012 Budget. Selectman Bauer said we need to get the word out to
7 the voters about what this is and what it isn't. We need to get sketches, the Town Hall has done some creative im-
8 provements in terms of space, but down the line, it will not get any more spacious. Selectman Putnam stated that if
9 the land is purchased, it will give the town more options – we could have temporary housing for the Ambulances.
10 Guy Scaife agreed that excellent points have been made tonight, but back to buying the land, it's at a good price now
11 and could only go higher. It won't solve all the problems at once, but it is clearly a prime location and \$500,000 is a
12 good deal. There is no right or wrong method. Most towns want to have something finite to judge on, and the over-
13 all cost would be reduced by \$300,000 by removing the fourth property purchase. We need details to analyze, we
14 have no specifications on the building. Without detailed engineering, we have no way to say "is \$6 million more
15 expensive than necessary?"
16

17 Selectman Putnam stated that he feels the best move is to get the land first and phase it by getting firm plans and
18 an engineered cost for the building, and take that amount to the taxpayers. We need parameters that we can work
19 within. Vice Chairman Daniels is concerned with solving the problem, is it possible to allow the ambulance to move?
20 The proposal deals with two different entities, one has more critical needs than the other. Selectman Bauer said that
21 the Facilities Committee has looked at the buildings, and there is not a possibility to expand the existing fire station,
22 it is 35 years old, the ambulance has been in town hall for over 30 years. The Town Hall offices have been very cre-
23 ative in space use for workarounds. Selectman Bauer thinks the town should go for the land in 2011 and then move
24 on to the building as another phase. If the Board comes to a consensus, it needs to really sell this. There are all kinds
25 of details, sketches, and floor plans; this needs to be presented to the voters, and if they turn it down, that is their
26 prerogative. Selectman Carmen said that both departments sharing one location makes a lot of sense. The town
27 would be saving millions of dollars. If the town gets the land, there is great potential to do the ambulance first, then
28 in Phase 2, do the fire station. Without the land, there are no options. If we don't get the land, the costs could go up,
29 now is the time to put the land on the Warrant, then start the engineering. Selectman Putnam suggested doing a
30 work session strictly focusing on the Warrant Articles. All board members agreed, and suggested scheduling a night
31 that is good for everyone. Chairman Finan will coordinate a work session. There were no comments from the pub-
32 lic.
33

34 7. SELECTMEN'S REPORTS / DISCUSSIONS

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

- 36
37 1) **Legislative Filing for District Court Funding Status.** Vice Chairman Daniels provided an update to
38 the Board that Representative Peter Leishman did not get re-elected, and Representative Bill Belvin in
39 Amherst has become the prime Sponsor of the District Court Bill. Vice Chairman Daniels stated that
40 he has signed on as a co-sponsor, and will be working to get others from communities whose courts are
41 affected as co-sponsors also, both in the House and the Senate. Chairman Finan indicated if the Board
42 of Selectman can assist in any way to let him know.
43

44 b) **OTHER ITEMS.** Selectman Bauer updated the Board on the second dog park committee meeting which
45 is tonight at 7 p.m. Selectman Bauer noted the Pawnbrokers Ordinance is in process of revision, she is waiting to
46 receive additional information at this time.
47

48 8. **APPROVAL OF FINAL MINUTES – October 18 & 25, 2010.** Selectman Putnam moved to approve the final
49 minutes of October 18th and 25th, 2010. Selectman Carmen seconded. All were in favor. Motion passed 5/0.
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51 9. INFORMATION ITEMS REQUIRING NO DECISIONS

52
53 10. **NON-PUBLIC SESSION – Non-Public Session (RSA 91-A:3, II(c)) – Reputation & Approval of Non-**
54 **Public Minutes (RSA 91-A:3, II(d)-Land Acquisition- October 25, 2010).** Vice Chairman Daniels moved to
55 enter into non-public session at 6:50 p.m. for a reputation discussion and to approve non-public minutes of October
56 25, 2010. Selectman Carmen seconded. All members were polled individually and consented to enter non-public
57 session at 6:50 p.m. After discussion Selectman Putnam moved to come out of Non-Public Session at 7:15p.m.
58 Vice Chairman Daniels seconded. All were in favor. Chairman Finan announced that in Non-Public Session the

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1 non-public minutes of October 25, 2010 were approved with one amendment on motion made by Selectman Carmen
2 and seconded by Vice Chairman Daniels with all in favor. There were no minutes taken of tonight's non-public ses-
3 sion, the board discussed a legal matter, no votes were taken and no decisions were made.
4

5 **11. ADJOURNMENT:**

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7 There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 7:16 p.m. Vice
8 Chairman Daniels seconded. All were in favor. Motion passed 5/0.
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Tim Finan, Chairman

Gary L. Daniels, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Nate Carmen, Member