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APPROVED

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

June 27, 2011

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

EXCUSED: Mike Putnam, Member

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

INSTRUCTIONS: The meeting was called to order by Chairman Carmen at 5:30 p.m. who introduced Board members and led the audience in the Pledge of Allegiance. Chairman Carmen 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. – Issuance of Warrant and Approval of (6) and Denial of (6) Property Tax Abatement Applications, Denial of (1) Charitable, Education and Religious Exemption Application & Request to Approve Current Land Use Change Tax & Issuance of Warrant. Marti Noel, Town Assessor, joined the Board to present the property tax abatements, the charitable, education and religious exemption application and current land use change application and issuance of warrant. The corrected number of property tax applications is (6) recommended for approval and (6) recommended for denial, since the others were removed from the original agenda for presentation tonight.

Vice Chairman Daniels moved to deny the (6) abatement applications as recommended. Selectman Finan seconded. All were in favor. Motion passed 4/0. Vice Chairman Daniels moved to approve the (6) abatement applications as recommended. Selectman Finan seconded. All were in favor. Motion passed 4/0.

Ms. Noel explained that the properties that have applications for current land use change were explained previously and the land owners have been notified and given time to respond; one is continuing in discussion and will not attend tonight. Those discussions began last September and letters were sent out one month ago and there has been no further discussion. Vice Chairman Daniels moved to accept the recommendation of the Town Assessor for LUCT. Selectman Finan seconded. All were in favor. Motion passed 4/0.

Ms. Noel is recommending denial of the application for Charitable, Education and Religious exemption since the property does not meet the requirements without using uncollected debts. Selectman Finan asked if this was already done on this property. Chairman Carmen responded that the Board only discussed this but never made a decision. Ms. Noel said that it now needs to be finalized. Vice Chairman Daniels moved to deny the application for Charitable, Education and Religious exemption as recommended. Selectman Finan seconded. All were in favor. Motion passed 4/0.

5:50 p.m. – Departmental Update – Community Development. Bill Parker provided an update for the Office of Community Development, noting that it has been busy and there has been an upswing in commercial development since the beginning of the year, including an expansion at JP Chemical coming before the ZBA in a couple of weeks. There has also been a call from the '99 Restaurant about looking into their project. Hendrix and Airmar have site plan approvals and are now looking into keeping those permits active. The Planning Board has been busy working on the Brox Andover project. The overlay district plan is ahead of schedule and the department is trying to get the public to understand what this project is about. They are hoping to have traffic and transportation chapters of the Master Plan in July to get the Route 101 access included. All of the committees through the OCD department have been busy as well. A draft of the hotel feasibility study is ready for review and looks optimistic. Corporate meeting space seems to be a need, but more of a demand is necessary. A 65 unit motel looks like it could be feasible in town. It is felt if a (motel) chain locates in Milford it will draw business. The Traffic Safety Committee (TSC) meets as needed; July 25 is the next meeting. TIFD and NRPC also meet as needed. GIS will need additional work when the town gets into the storm water mapping. One significant change is the tenant change permits so

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1 that when a tenant changes, a permit must be filed. The violations and complaint figures for the department have
2 not yet been processed and will be done by the end of the month.

3
4 Moving forward, the South Street project may start this fall, and may overlap with the Pumpkin Festival which
5 would be worked around. Selectman Bauer thinks if that does happen, the town should alert everyone as soon as
6 possible. Bill Parker agreed, stating they will try to get the work done before Pumpkin Festival. The Osgood Pond
7 reclamation matching funds need to be fine-tuned. Vice Chairman Daniels asked if the costs will increase for the
8 town. Bill Parker is expecting the cost to increase. Sarah Marchant will need some assistance with GIS at some
9 point. Selectman Bauer asked what type of assistance will be needed. Bill Parker suggested some part time data
10 entry to support Sarah. With environmental requirements also coming down, he sees additional hours being re-
11 quired in order to be compliant. Selectman Bauer noted the OCD office has had to deal with additional require-
12 ments and the staff does a great job. Mr. Parker thanked her and stated that sometimes he feels like they are all
13 drowning. They have hired a recent UNH graduate who worked through college at the Thompson School. Thirty
14 applicants were sorted through which ended up with ten interviews, and Mindy Lavalle stood out. Vice Chairman
15 Daniels asked for an estimate of additional staff that might be needed. Mr. Parker responded that a part time em-
16 ployee with GIS experience would work; college graduates are now coming out with that knowledge. He has not
17 worked out the number of hours yet. Currently there are no open positions. Chairman Carmen asked if a position
18 for twenty hours per week would work? Mr. Parker said yes, but environmental compliance assistance might also
19 be needed, he is seeing what is needed and how to construct the hours. Eight hours a week for storm water has been
20 handled by Fred Elkind. Right now that is enough, but when the new permit is issued, that will increase.

21
22 Guy Scaife brought up Osgood Pond, it has been a couple of months since it was last discussed, and the reval is be-
23 ing worked on, about \$100,000 was set aside for this project, but it might be up to \$400,000 which will require town
24 vote whether or not to make the investment. DPW needs to put a value on the organic materials that will come out
25 of the pond. The equipment to be used when we recondition some of the Brox fields needs to also be identified so
26 that in the fall we have some idea of the value. We are a few months away from that being ready. Vice Chairman
27 Daniels asked if \$400,000 is the town's share. Guy Scaife said that is correct. Chairman Carmen asked if another
28 presentation by the new Army Corps will be done. Guy Scaife said the town needs to do the financial analysis be-
29 fore they come back. Chairman Carmen asked if the Fletcher project is pushed out. Guy Scaife responded it looks
30 like that will be pushed out to next year.

31
32 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** There were no public comments.

33
34 **4. DECISIONS**

35
36 a) **CONSENT CALENDAR.** Chairman Carmen asked if there were any items to be removed from the Con-
37 sent Calendar. No items were removed for discussion. Vice Chairman Daniels moved and Selectman Bauer
38 seconded to approve the Consent Calendar items as follows, with all members in favor.

39
40 (1) **Request to Approve Board of Selectman Chairman as Signatory Agent – Lot Line Adjustment Plan**
41 **for Zahn Trust Land Donation to Town's Hartshorn Pond Property.** The Anne M. Zahn Revocable
42 Trust has agreed to donate approximately two acres of land to be added to the Hartshorne Pond lot. This
43 request, which was approved, is to allow the Board Chairman to sign as the agent for the Town of Milford
44 to accept this gift on behalf of the town.

45
46 (2) **Request for Acceptance of a Donation to the Granite Town Rail Trail Fund from the Downtown**
47 **Ongoing Improvement Team Per RSA 36-A:4.** The request to accept \$3,500 from the McIninch
48 Foundation for improvements to the Granite Town Rail Trail by the Conservation Commission was
49 approved.

50
51 (3) **Request to Renew a License to Operate a Junk Yard.** The request to renew the Junk Yard license for
52 Gary LaPlante in accordance with RSA 236:121 was approved for one year.

53
54 (4) **Request to Appoint Forest Fire Warden.** This request to designate John Kelly, Jr. as the Town of
55 Milford Fire Warden was approved.

56
57 b) **OTHER DECISIONS.**

1 (1) **Potential Amendment to Community Facilities Charge for 2012 Ambulance Facility - Con-**
2 **sideration of Additional Site(s).** Chairman Carmen asked the Board to consider adding another
3 lot for the Community Facility Committee (CFC) charge. Guy Scaife indicated when looking at
4 the lots, the corner lot is not big enough and the middle lot would also be needed. Selectman Bau-
5 er asked if we know if the lots are even available. Chairman Carmen said the seller is interested
6 and the lots are contiguous. Selectman Bauer asked if the CFC will look into whether the lots are
7 available or not? Vice Chairman Daniels asked if that building is usable for this plan. Chairman
8 Carmen said the building houses a business that sells forklifts. It is a large building with three
9 bays. It is an interesting property that could be looked at for renovations, but it should be consid-
10 ered. It is a great location and also there is other potential for parking. If we are looking at reno-
11 vation costs, Selectman Bauer asked if we would need a professional architectural engineer to de-
12 termine that. Chairman Carmen responded that if it gets to that point, we might need that and may
13 need to spend that money. Bill Parker indicated the CFC would discuss cost and design and if it is
14 just getting a site that has a building; it might be possible for them to determine if renovation is
15 possible. Selectman Bauer said the Committee has lots of people to work this through, but we
16 shouldn't try to anticipate some of their questions about using an existing building.
17

18 Vice Chairman Daniels asked what is the difference between this lot and the Cottage Street lot
19 with a building. Selectman Bauer said the building designed by SMP cannot just be dropped on
20 the lot. Selectman Finan asked if it would be better to have Community Development do that
21 piece? What are the guidelines? Or should the CFC do that? Chairman Carmen thinks that the
22 town has the talent to tell if the existing building can or cannot be used. Guy Scaife recommended
23 that the CFC identify the lots that will meet the need, after that have the Code Enforcement Officer
24 look at the buildings to see if they can be used for an ambulance facility at all. The hope is that
25 one building is decided on and at that point the town could call SMP to determine whether or not
26 the town's call was correct and have an engineering assessment done.
27

28 If the building is not good to renovate, Vice Chairman Daniels suggested that the lot should be
29 taken off the table, because there are a lot of properties that can be looked at to build on, but if the
30 building is usable, it can be looked at further. Selectman Bauer asked about the Cottage Street lot
31 and that it is less than one acre, would that be considered if the building could be renovated but if
32 not, it is too much money? Vice Chairman Daniels indicated the Cottage Street property looked
33 like the building might be usable without starting over. If it is not, we are just paying a lot of
34 money for a piece of land. Demolition costs must be considered as part of the cost. Selectman
35 Bauer asked how long it would take for the building inspector to visit the site? Bill Parker said he
36 leaves on vacation next week so he can look at the building this week. Chairman Carmen will
37 contact the property owner and go from there.
38

39 Vice Chairman Daniels moved to add Lots 25-73, 25-74 and 25-75 to the charge of the CFC. Se-
40 lectman Bauer seconded. All were in favor. Motion passed 4/0.
41

42 5. TOWN ADMINISTRATOR REPORT:

43 a) **Legislative Update.** Guy Scaife explained that the budget passed the House and Senate and Governor
44 Lynch stated he will not veto. With that, some changes came through, such as the retirement. That will help some
45 of the unfunded future liability. Other reductions in revenue are coming as well, rooms & meals taxes were frozen
46 at the 2009 level, retirement system expenditures will not get equitable reductions but the number in the finalized
47 budget had a 25% contribution, current law calls for 35%. By the next Board meeting, these numbers should be
48 finalized. Many towns benefitted from funding the Milford District Court, now it is funded for a couple years and
49 additional money is being put in (the budget) for a future court for the region. If the Milford Court moved to Mer-
50 rimack, it would have never come back to Milford; Guy Scaife thanked the Board for making that difficult decision
51 and helping fund that last year. The County Budget – the Corrections System program - will continue, last year Mil-
52 ford had 1021 hours of work done for seven or eight projects and we will continue to use that program. This is an
53 excellent program to get work done around town and the prisoners benefit by getting work experience which helps
54 in their rehabilitation.
55

56 b) **Miscellaneous.** Guy Scaife announced that Ricky Riendeau was promoted to the DPW Director position,
57 he continues to do an excellent job; his job as Highway Foreman will be posted internally. Guy Scaife was able to
58 participate in a ceremony for Eric Wales of the Police Department for his actions in the line of duty; he conducted

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1 himself professionally and took quick action and the situation all worked out. Eric received a service award and a
2 letter of commendation from the Chief of Police. Guy Scaife noted that the Police Department does a good job of
3 recognizing its officers.

4 Guy Scaife explained that the Pole Tax Exemption is finally put to bed and that is good news, Selectman Bauer
5 noted that Guy Scaife worked hard on getting that exemption removed. Guy Scaife noted that the pole tax could
6 come back again next year. The pole tax just gets put off on other companies and thus potentially passed on by
7 those companies because it is an exemption so it gets paid by other taxpayers. In other news, Guy Scaife indicated
8 the Division of Motor Vehicles will remain in Milford a bit longer.

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10 **6. DISCUSSIONS.** There were no other discussions.

11
12 **7. SELECTMEN'S REPORTS / DISCUSSIONS**

13 **a) FROM SPECIAL BOARDS, COMMISSIONS & SPECIAL COMMITTEES.** Vice Chairman Daniels
14 explained that he went to the County Delegates meeting when they passed the County Budget. The Recycling
15 Committee now has ten members that are a mixed group of volunteers and staff members, and he is working on
16 finding out what day is the best for everyone to meet. Vice Chairman Daniels is hoping to do something next week
17 but because of the holiday, that may be later.

18 **b) OTHER ITEMS (that are not on the agenda).** Next week, the Wilton/Milford drainage issue should be
19 95% complete, by the next Board meeting, there should be final resolution.

20
21 **8. APPROVAL OF FINAL MINUTES – June 2, 2011.** Vice Chairman Daniels moved to approve the minutes
22 of June 2, 2011. Selectman Bauer seconded. All were in favor of the motion to approve the minutes as amended.
23 Motion passed 4/0.

24
25 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.** There were no other items.

26
27 **10. NON-PUBLIC SESSION.** Vice Chairman Daniels moved to enter into Non-public session at 6:41 p.m. in ac-
28 cordance with RSA 91:A3(a) Personnel. Selectman Finan seconded. All were in favor. After discussion, Vice
29 Chairman Daniels moved to come out of non-public session at 7:21 p.m. Selectman Finan seconded. All were in
30 favor. Motion passed 4/0. Chairman Carmen announced that in non-public session, the Board discussed a personnel
31 issue and approved two sets of non-public minutes (May 23, 2011-Personnel and June 6, 2011-Personnel). The NPS
32 minutes were re-sealed on motion made by Vice Chairman Daniels and seconded by Selectman Finan. All were in
33 favor. Motion passed 4/0. Selectman Finan moved to seal the minutes of this non-public session. Selectman Bauer
34 seconded. All were in favor. Motion passed 4/0.

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36 **11. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to
37 adjourn at 7:21 p.m. Selectman Finan seconded. All were in favor. Motion passed 4/0.

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41 Nate Carmen, Chairman

Gary L. Daniels, Vice Chairman

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44 _____
45 Katherine Bauer, Member

Tim Finan, Member