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APPROVED

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

August 22, 2011

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

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

INSTRUCTIONS: The meeting was called to order by Chairman Carmen at 5:35 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. – Departmental Update - Library. Michelle Sampson provided handouts to all members which contained the presentation for reference. Ms. Sampson provided information regarding highlights of the library as well as a return on investments and comparisons with other libraries. The security cameras were installed and have paid for themselves. In the past 6-7 months there has only been one theft and a hit & run was also captured on the cameras. Arrests were made in both cases thanks to the cameras. The parking lot requires resurfacing, which will cost about \$15,000. There has been some flooding in the building, which has been caused by underground storm water drain connections from the 1986 renovation not being tied into the 1950 structure. Since that was fixed, there has not been a problem. The sidewalks also need repaving and it is in the DPW schedule. A donation of furniture for the NH room was received including a large oak table. Joel has completed a hand painted sign which now hangs over the main entrance. The Steering Committee has looked at the re-design to better utilize the library's space, different areas could be moved but nothing would be gained. Building up was also looked at; however the renovation was built on a slab which cannot support a second floor on that portion. The basement for that renovation was apparently scrapped from the design to save money, so it cannot support a second floor.

Ms. Sampson continued that the 2007 needs assessment is being re-visited. Professional fundraisers have been called upon to raise money for an addition; one was identified that we would like to work with. Seven different design concepts were identified. Feedback was brought forward and a cost estimate for design selections has come in and was higher than expected. All designs also require re-location during construction. An additional design has been requested to only use the 91 Nashua Street site. From there a design can be finalized and costs identified and then the public will be educated. There was a 40% cut to the van delivery services. That affects the loans from other libraries in our consortium. There are 26 libraries that also received that cut; we only get service three days per week now. Ms. Sampson does not know if it will get worse. It now takes up to a couple of weeks to get a request in. She will be looking into other options to alleviate that. The van service is the most valuable service in the State libraries.

Computer use is up; job hunting computer use is very busy. Ms. Sampson indicated that libraries are information professionals and people need to understand they just need to ask for assistance. Vice Chairman Daniels asked if the libraries are connected through fiber optics. Ms. Sampson said the libraries share data via the system, it is via remote desktop. Vice Chairman Daniels asked about utilizing Adams & Smith and if they were compared with Manypenny, why were they engaged at all, but not used? Ms. Sampson responded they did it pro bono (at no cost). Selectman Bauer asked about 91 Nashua Street and if the estimate was so out of line, why would it be considered? But if 91 Nashua Street is used to phase in an addition, what would that be? Ms. Sampson responded that the difficulty is that it is not just a regular office building; the library services a multitude of groups. It would not be cost effective. The buildings would be connected somehow. Selectman Bauer asked if there would be a separate circulation desk for the children's room. Ms. Sampson indicated that is common, the idea would be to shuffle and then when the renovation is complete it could be moved. A lot of the renovation in 1986 did not have a lot of replacing. The space would be the same amount, but spread over three floors. Selectman Bauer asked if parking

would be expanded. Ms. Sampson said it would, because the Annex building would be taken down and also the garage in the parking lot would be removed. Chairman Carmen said that library use has increase because of the economy. Ms. Sampson agreed that is part of it, and people are trying to cut costs. Chairman Carmen asked if we could get PEG Access to put the video of this presentation on the PEG channel even though the slide show did not work tonight. Ms. Sampson said she will check into that. Chairman Carmen noted it is a good presentation but it is hard to read on the handouts.

6:00 p.m. – Recognition for Years of Service Volunteering for the Town. Bill and Diane Fitzpatrick were presented with an award for years of service to the Town of Milford by Chairman Carmen who presented the award to both Bill and Diane for the many years of dedication and service to the citizens of the granite town in the granite state. Both Bill and Diane indicated this is a great town to work for with a lot of support and Diane expressed that she appreciated the freedom she was given, specifically with the Conservation Commission.

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

4. DECISIONS

a) **CONSENT CALENDAR.** Chairman Carmen asked if there were any items to be removed from the Consent Calendar. Item 4(a)1 was removed by Selectman Bauer for discussion. Vice Chairman Daniels moved to accept the Consent Calendar as presented. Selectman Finan seconded. All were in favor. Motion passed 5/0.

1) **Request to Allow Vendoring at Keyes Field – Not Just An Ugly Dog Contest II.** Selectman Bauer removed this item from the Consent Calendar for discussion. Selectman Bauer asked if this contest is conducted every year. Chairman Carmen indicated this is the second year for this contest. Selectman Bauer moved to approve. Selectman Finan seconded. All were in favor.

2) **Request to Approve Issuance of Timber Yield Tax Levy & Warrant.** A timber tax levy was presented in the amount of \$161.06 for Karl Zahn and approved for the Tax Collector to issue a warrant for Map/Lot 2-28-1.

3) **Request to Approve Issuance of Timber Yield Tax Levy & Warrant.** A timber tax levy was presented in the amount of \$124.74 for Karl Zahn and approved for the Tax Collector to issue a warrant for Map/Lot 2-28-2.

4) **Request to Conduct Rail Trail Race Fundraiser through Milford (Ghost Train Rail Race).** The Milford Conservation Commission requested Board permission to conduct the Ghost Train Rail Race on October 23, 2011 from 8 a.m. to 12 p.m. which begins in Brookline and is a 15 mile event. This request was approved.

5) **Request for Acceptance of Unanticipated Funds Under \$5,000 and Gifts Under \$5,000.** This is the listing of unanticipated funds under \$5,000 for Board acceptance as follows:

Source	Amount	Purpose
Francis T. Corey & Michelle R. Sampson	\$ 50.00	Donation for the Police K-9 Special Purpose Fund
Milford Masonic Temple Assoc.	\$133.00	Donation for the Kaley Park Phase II Sp. Purpose Fund

This request was approved.

6) **Request for Acceptance of Donation of Granite Bench per RSA 36-A:4.** The Conservation Commission requested Board acceptance of a granite bench that has been placed along the Granite town Rail Trail near the Armory Road entrance, known as the Fitzpatrick Bench. This request was approved.

b) **OTHER DECISIONS.**

1) **Appointment of Health Officer and Deputy Health Officers.** Guy Scaife explained that the State notified the Town of this expiration. Milford would like to also add a third deputy health officer, being Fred Elkind who has unique skill sets. There is no additional cost to the town to have an additional deputy. Selectman Finan asked if there is any additional stipend for this added responsibility. Guy Scaife said there is not. Vice Chairman Daniels asked what the additional work load is. Guy Scaife could not identify exactly the work load but they do make recommendations to the State that could shut down an establishment. They field questions about mosquito infestations, etc. They always consult with the State health officer but Guy explained he does not have all the details of that but there will be no change from what it was for years.

1 Vice Chairman Daniels said it would give these people more authority with trespassing rules and people
2 may think it is a beaurocracy and wonder where it ends. Guy Scaife gave examples that if it is a nursing
3 home issue, Eric Schelberg would respond but if it is a river issue it would be Fred Elkind that responds
4 and his being a deputy health officer would protect from any trespassing problems. Vice Chairman Daniels
5 said he will support this but wants to make sure that it does not get abused. Selectman Bauer noted that
6 Fred Elkind is involved in the storm water as was discussed at the meeting last week. The town has to
7 comply with the storm water regulations. The town has new obligations because of storm water and Mil-
8 ford is adding on another deputy because of the new regulations. Selectman Finan asked if the BOS also is
9 the Board of Health for Milford. Guy Scaife indicated it would be considered the Board of Health, that is
10 why the BOS is the approving authority, also noting that the State regulates as far as enforcement. Select-
11 man Finan moved to reappoint Bill McKinney as Health Officer. Vice Chairman Daniels seconded. All
12 were in favor. Selectman Finan moved to re-appoint Eric Schelberg as Deputy Health Officer. Vice
13 Chairman Daniels seconded. All were in favor. Selectman Finan moved to appoint Fred Elkind as Deputy
14 Health Officer. Vice Chairman Daniels seconded. All were in favor. All motions passed 5/0.

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16 **5. TOWN ADMINISTRATOR REPORT:**

17 a) **McLane and Goldman Dams Removal Feasibility Study & Oil Spill Update.** Guy Scaife said the sam-
18 pling was done and there was difficulty with the samples, four samples were needed. This Friday they will attempt
19 again to collect samples. No PCBs were found anywhere. The preliminary results look very positive. The oil spill
20 looks like it is #6 fuel oil which is very heavy and used in large mill operations. It is not something commonly used
21 today, the cause has not been determined. DES will be hiring a consultant to look into this further. The volume of
22 flow increases with more rain fall, Clean Harbors is also involved in this effort.

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24 b) **Downtown Paving Project Update.** Guy Scaife indicated the paving plan was pushed out because of rain.
25 There will be some day paving and paving work evenings beginning Wednesday night. A 3-night effort is required
26 to get this done.

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28 c) **Miscellaneous.** Guy Scaife reported that Mary Pat Jackson, Director of Host Homes and Mediation, has
29 accepted a position at an Assisted Living facility in Peterborough, it is a great opportunity for her and the funding
30 has been stopped for Mediation and Host Homes. These offices serviced six communities and the State and County
31 funding has been pulled. With Mary Pat's departure on September 9, those program will be shutting down. To try
32 to get someone in here and trained and then not have funding does not work. Towns around the State have already
33 shut down their programs, however, it is a valuable service to the citizens. Mary Pat will continue with the Diver-
34 sion program that was started in the community to work with troubled youth. She hopes to keep that going; it is a
35 Milford-only program and she has agreed to continue to work on this with the town.

36 The owner of 21 Cottage Street has not been available to meet with so we have lost some time but there is a
37 meeting on Thursday, Guy Scaife will brief the Board when that happens.

38 A complaint was received over the weekend about noise at Chapanga's - the permit and license that was issued
39 allows for outside entertainment and alcohol, but the entertainment must be done by 9:00 p.m. This is not the first
40 problem with this business. Effective today, the permit will be pulled. Hopefully that issue is resolved. Selectman
41 Finan asked if they can re-apply for a new permit. Guy Scaife said they can but he is not sure of the grace period.
42 Selectman Finan said we should talk to them if they do re-apply to let them know of the exact things permitted. Guy
43 Scaife is not sure of that appeal process. Selectman Finan suggested that the Board contact the owner, to which
44 Chairman Carmen agreed to contact the owner. Guy Scaife indicated the permit was to allow outdoor activity but it
45 did not give them unlimited volume. The permit allowed them to have entertainment and the hours were also on the
46 permit.

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48 **6. DISCUSSIONS.**

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50 a) **Economic Revitalization Zone (ERZ) Opportunity - Working with NH Department of Economic**
51 **Development.** Guy Scaife explained that the NH Department of Economic Development office contacted
52 him about this opportunity for business growth. This would be to set up a revitalization zone, Guy Scaife
53 will meet with them this week; but it looks like a good opportunity. If we have such a zone approved, the
54 State has programs that businesses could expand under and if they meet certain criteria they can get a tax
55 break on business taxes over a five year period. Some businesses could benefit from this and there is no
56 negative impact. Chairman Carmen indicated if there is no down side to Milford and encourages expan-
57 sion, what happens if the State cuts it? It seems like this could get cut, it would be his concern that the
58 town has to pick up some costs if that happens.

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3 **7. SELECTMEN'S REPORTS / DISCUSSIONS**

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

5 **- Storm Water Discussion** – Guy Scaife explained that during the last meeting Vice Chairman Daniels
6 asked about EPA pushing the storm water requirements on local towns and Sarah Marchant explained that other
7 municipalities have done some push back; he does not think it is a bad idea for this and if Vice Chairman Daniels
8 feels maybe we should fight it, let's talk about it. Selectman Bauer said she agreed with Vice Chairman Daniels
9 because EPA has not shown a good track record with Milford. There are still things that are not clear and it is frus-
10 trating. Vice Chairman Daniels said we have articles in the Constitution that the State cannot mandate programs on
11 local communities. The Federal government is to exist for the people. We have to start with our NH delegation. It
12 would be good to have them come in to explain this as to why the Federal government can mandate this on the town
13 for \$250,000 every year going forward. They are expecting it to be done in two years at an unknown cost. It might
14 take the town ten years to do because we have our own budget to manage.

15 Selectman Putnam suggested bringing the NH delegates together. Guy Scaife said the idea of \$250,000 is an
16 estimate of what it may take, it is hard during hard economic times. The drainage system is part of the infrastructure
17 just like the roads but the storm drains are unseen and out of mind. The catch basin cleaning is about the only thing
18 we do. We have spent less than \$7,000 per year on the storm drains. The roads have more than \$300,000 per year
19 on paving. The storm drains are out of sight and out of mind. They get neglected and the government is stepping in
20 to say it needs to be addressed. Thirty years ago the sewer plant came on line as we were under court order to stop
21 dumping raw sewage into the river. In 1968 the town was given two years to stop and it took 12 years to get it done.
22 Towns will not always do it right without being forced. The factories were polluting as well. To do this in five
23 years since the first permit was asked, we have not spent a lot of money on building that program so our infrastruc-
24 ture is still the same. It has been neglected.

25 Selectman Finan said we have to be careful to separate the issues. Last week it was stated a lot of this is com-
26 mon sense. It makes sense to have everything mapped. We should be doing this stuff, but Vice Chairman Daniels
27 has a point that the process is broken, he would like to see the EPA in here as well to explain how they can expect
28 the town to implement things in two years. We need to be careful. Selectman Putnam agreed with Selectman Finan
29 and Vice Chairman Daniels, we should be pushing back at the government and trying to do the right thing. The
30 sewer and storm water are totally separate. The roads have a lot of emphasis, the storm water system is fine, there
31 are a few problems but they are adequate for the most part. The \$250,000 estimate surprised Selectman Putnam, he
32 wanted to see a breakdown. Guy Scaife wished there were no number provided, since it really is just an estimate
33 and there is no breakdown, it was just a ballpark number. We have not done any work to analyze the condition of
34 the infrastructure and we know there are areas that are undersized. If replacement is needed it gets expensive. The
35 first item is to identify the outfalls. Selectman Finan said everything is fine according to Selectman Putnam. If
36 monitoring is done, we know there is a problem. The goal is to make sure nothing is being dumped into the river.
37 Selectman Putnam said the monitoring at the Souhegan showed the river is fine.

38 Selectman Putnam nominated Vice Chairman Daniels to invite the delegates to a Board meeting. Vice Chair-
39 man Daniels said back in 1994 Osgood Pond was only \$75,000 and now that price tag is up to \$400,000. If the
40 storm water is at \$250,000 today, it will be more tomorrow. Vice Chairman Daniels wants to be sure there is no
41 duplication of efforts. Selectman Finan said Federal funding was available back then. Selectman Bauer feels the
42 environmental concepts are great but these are unfunded mandates with a timeframe. We should pay more attention
43 to our infrastructure. It is crazy that EPA is telling us we have to do this. The regulations are insane. Town staff
44 has put a lot of hours into this to get it done and it is unfunded. Guy Scaife continued that if we had not been forced,
45 we would not have done it. Selectman Bauer feels it is different when local staff comes up with a plan than having
46 the Federal government telling the town to do something when no funding is provided and there is a deadline. Vice
47 Chairman Daniels said he will get a hold of the delegates to invite them together.

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49 **b) OTHER ITEMS (that are not on the agenda).** Selectman Putnam brought up the Osgood Pond project
50 and that Ronny Philbrick advised him of which is an environmentally friendly way of getting rid of the stuff in Os-
51 good Pond and that it would cost about \$75 each and that many of this product would be needed for a pond of that
52 size. More information to be collected.

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54 **8. APPROVAL OF FINAL MINUTES – July 25, and August 8, 2011.** Selectman Bauer requested amend-
55 ments to the minutes of July 25, and August 8, 2011. Vice Chairman Daniels moved to approve the minutes of July
56 25, and August 8, 2011 as amended. Selectman Finan seconded. All were in favor of the motion to approve the
57 minutes as amended. Motion passed 5/0.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 8/22/11

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

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3 **10. NOTICES.** Notices were read by Chairman Carmen.

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5 **11. NON-PUBLIC SESSION.** Vice Chairman Daniels moved to enter into Non-public session at 7:40 p.m. in ac-
6 cordance with RSA 91:A3(c) Reputation. Selectman Putnam seconded. All were in favor. After discussion, Se-
7 lectman Finan moved to come out of non-public session at 7:48 p.m. Selectman Putnam seconded. All were in fa-
8 vor. Motion passed 5/0. Chairman Carmen announced that in non-public session, the Board discussed a reputation
9 matter. The minutes of this meeting were sealed on motion made by Selectman Finan and seconded by Vice Chair-
10 man Daniels. All were in favor. Motion passed 5/0.

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12 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to
13 adjourn at 7:50 p.m. Selectman Finan seconded. All were in favor. Motion passed 5/0.

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17 Nate Carmen, Chairman

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21 Katherine Bauer, Member

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25 Mike Putnam, Member