

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
February 13, 2012

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

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

INSTRUCTIONS: Chairman Carmen called the public meeting to order at 5:36 p.m. after the adjournment of the 5:30 non-public session. Chairman Carmen announced that during the non-public session, a legal issue was discussed. No decisions were made. No votes were taken. Chairman Carmen 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. – Non-Public Session (RSA 91-A:3, II(e)- Legal. Chairman Carmen called the NPS to order at 5:25 p.m. Marti Noel, Town Assessor was present for this discussion. After discussion, Chairman Carmen announced that during the non-public session, a legal issue was discussed. No decisions were made. No votes were taken. The non-public session was adjourned at 5:36 p.m. after the minutes were sealed on motion made by Selectman Finan and seconded by Selectman Putnam. All were in favor.

5:35 p.m. – Departmental Update - Ambulance. Eric Schelberg, Ambulance Director, was in attendance for this appointment. Mr. Schelberg explained reviewed the activities during 2011 and goals of 2012, specifically the proposed facility for the ambulance department. Last week at deliberative session, this Board approved the warrant article for a facility and he hopes that voters will vote for it in one month. In November 2011, the Milford Medical Center (MMC) transfers began being done by the Milford Ambulance Service which increased call volume. Through January 2012, the department has been getting one transport call per day. The MMC transfers have not caused any impact to the department calls for service. Mr. Schelberg thanked the Board for its support of the warrant article for a facility and will continue marketing it to the public for the March vote. Selectman Putnam asked if the criteria for an emergency call versus a non-emergency call stays the same. Mr. Schelberg answered that it does stay the same for billing purposes. Call volume is up, revenue is up. The service is keeping its eyes on the vehicles, which are aging. The site chosen for a new facility will work for the town and meet the town's needs for thirty years. Again, Mr. Schelberg thanked the Board for supporting the facility warrant article.

Selectman Putnam asked if Mr. Schelberg had seen the news reports regarding the cost of running an ambulance, and asked where Milford stands on that. Mr. Schelberg responded that he did see the report and they spoke about two specific services; Milford is below both of them, one of them was for long distance transfers and one was for critically ill transports. Milford is about half of the rate of the other services. Mr. Schelberg noted that he reviews that information every year and wants to be about in the middle, we are reasonably priced. Vice Chairman Daniels asked about the billing process and if the bills identify the services rendered. Mr. Schelberg responded that the billing is based on the care provided to the individual, which is based on the certification level of the person that provided the care. The patient is also charged mileage. If advanced skills are utilized for the patient, they are billed for that additional skill set. Vice Chairman Daniels asked if an individual has Medicare or Medicaid, are they billed first. Mr. Schelberg said the patient's insurance is billed first and if there is a co-pay or deductible, we would "balance bill." Medicaid and Medicare have different levels of payment. If the patient is not able to provide information at the time of transport or service, the patient is sent a bill and if they have insurance they need to call the department with that information. If they are a Medicare or Medicaid recipient, Vice Chairman Daniels asked if there is a breakdown of the bill. Mr. Schelberg said there is and once payment is received, another bill with the remaining balance is sent. Vice Chairman Daniels asked about the part time billing clerk position, and if there is a question on a bill, when should an individual call the service with questions. Mr. Schelberg indicated the part time

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 02/13/12

1 billing clerk is in Mondays, Tuesdays, Thursdays and Fridays 8 a.m. to noon, and at other times, the full time billing
2 staff is also available 8 a.m. until 5 p.m. on Mondays and Thursdays to answer questions.
3

4 Selectman Bauer asked Mr. Schelberg to please explain to the public that any new ambulance purchases will not fit
5 in the existing vehicle bay. Mr. Schelberg explained that the ambulance department has been housed in the lower
6 level of town hall for 37 years and the major deficit with that is that the size of a new ambulance will not fit in the
7 existing bays, nor can the bays be modified. The department cannot wash the vehicles because the water runs direct-
8 ly to the river; the dormitory space is insufficient for 24 hours, 7 days a week coverage. Sometimes there are up to
9 five people sleeping at one time. Training space is inadequate, the current space can only accommodate ten mem-
10 bers for training, so the space in the banquet hall or auditorium must be utilized which causes conflict with other
11 departments requiring the space; storage is not available for the department and therefore items are spread out all
12 over town hall. Selectman Bauer asked about the lack of ventilation for the exhaust. Mr. Schelberg indicated there
13 is currently no vehicle exhaust system and the fumes end up coming into the facility. Selectman Bauer also noted
14 that the paramedic vehicle is parked outside and the supplies used on the paramedic vehicle must be brought in the
15 building overnight due to temperatures.
16

17 Further, Selectman Bauer indicated the proposed facility will address all of these issues but is not “over the top”.
18 The proposed facility is efficient and is not fancy. Mr. Schelberg indicated the proposed facility will address the
19 needs of the department. Chairman Carmen noted this has been a fantastic job in getting the proposed facility mov-
20 ing and the department getting the transports added to the service is a great thing. Under the CIP, this facility is
21 needed and if the facility is voted in, it would be in place in 2013. Revenue is coming in, the transports have not
22 affected the service calls for the department. Chairman Carmen asked if the volunteer personnel are moved up to
23 per diem when there is an opening. Mr. Schelberg said that is done so that those people are able to be encouraged to
24 be volunteers and the personnel are utilized in that way. Chairman Carmen asked if there has been an increase in
25 volunteers from outside of Milford. Mr. Schelberg responded that 40% of the volunteer staff are from out of town.
26 More Milford residents need to become volunteers. Mr. Schelberg tries to use enticements so that the volunteers
27 want to learn new skills that stay with them. It is a tangible education that is received. Milford has a good reputa-
28 tion and a lot of programs outside of town recommend people to come to Milford to train. Nashua and Manchester
29 have private services, so if people want experience, they come to Milford.
30

31 **6:00 p.m. – 31:95 (b & e) Public Hearing for Acceptance of Unanticipated Funds Over \$5,000 and Gifts Over**
32 **\$5,000.** Chairman Carmen opened the public hearing at 6:06 p.m. for the Public Hearing for acceptance of unantici-
33 pated funds over \$5,000 as follows:
34

| <u>Amount</u> | <u>Purpose</u> |
|---------------|--|
| \$16,000.00 | Ice Rink Special Purpose Fund – donation from the East Milford Improvement Society Trust Fund for the Milford Recreation Department to be used for Improvements at Shepard Park. |

35
36
37
38
39
40 The public hearing was closed at 6:07 p.m. Selectman Putnam moved to accept the listing of unanticipated funds as
41 listed. Vice Chairman Daniels seconded. Chairman Carmen indicated that this is turning over the balance of the
42 funds (\$16,000) to Recreation to be used towards the Shepard Park improvements to the ice rink and associated
43 equipment to be purchased. Lights have been added, but the weather has not been cooperative this season. All were
44 in favor of the motion. Motion passed 5/0.
45

46 **6:05 p.m. – Request to Amend Milford Municipal Code 3.20.010 – Definition.** The requester of this amendment
47 to Milford Code 3.20.010 – Definition (Taxicab), Mr. William LaBell, was not able to be present for this appoint-
48 ment which will be rescheduled for a future meeting. The request is to modify Definition which states “no vehicle
49 over seven years old, ... shall be used as a taxicab...” Mr. LaBell proposes to use the State’s guidelines on vehicle
50 inspection. Chief Douglas and Guy Scaife are in support of this proposed change. Guy Scaife indicated there are
51 many vehicles on the road these days that are older than seven years; he understands why this ordinance was put into
52 place and suggested striking the number of years, which would ensure the vehicle is in running order and safe.
53

54 Selectman Putnam moved to amend the ordinance as discussed. Selectman Bauer seconded. Chairman Carmen
55 suggested amending the ordinance to include that the inspection must be performed by an outside inspection station.
56 Vice Chairman Daniels suggested the inspection stations have to meet the State safety requirements; if there is a
57 State inspection, he feels the service station is required to follow those requirements and if they do not, their license
58 should be pulled by the State. Vice Chairman Daniels thinks every service station should be treated equally; why do

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 02/13/12

1 we need to identify certain stations? Selectman Finan asked if the State allows an inspection station to inspect the
2 station's own fleet. Vice Chairman Daniels did not know. If that is allowed, Selectman Finan said he agrees with
3 Vice Chairman Daniels. Selectman Putnam indicated if there is a problem with the inspection station, that would be
4 the State's problem. Selectman Bauer agrees with keeping the inspection station neutral; Mr. LaBell has suggested
5 amending the number of years the vehicles are allowed to continue running as taxicabs. Selectman Putnam does not
6 want the town to be accused of using favorites. Vice Chairman Daniels said it is Mr. LaBell's business and if he has
7 a place where he goes for inspection that reflects poorly on his business, it will reflect on those who choose to use
8 his business. Anyone not providing a good business sense will end up going out of business. Vice Chairman Dan-
9 iels also stated there are regulations in place requiring that vehicles need to be in proper working condition. Select-
10 man Bauer said she will vote with the majority of the Board.

11
12 Chairman Carmen disagreed, stating that there is a vested interest when dealing with public safety, the perception
13 would be negative if the vehicle is inspected at the inspection station of the employer. If that is let go and an acci-
14 dent happens, it is a public safety issue. Some municipalities increase the inspections once the car gets to a certain
15 age and seek an independent inspection station separate from the taxicab companies. Vice Chairman Daniels said
16 there are laws in place, but should we make more laws to be sure they are enforced? Selectman Bauer asked if all
17 the laws are enforced down to the letter. Some people have lower expectations; all the laws are not fully enforced
18 and all laws are not obeyed. Guy Scaife believes this is presented because no one wants the perception that the
19 owner is doing the inspection, if his employer is doing the inspection, the perception could be that it is not accepta-
20 ble. This situation is unique. Vice Chairman Daniels understands that, but the business that inspects the vehicles is
21 putting their business on the line. Selectman Finan does not see this is a problem, and suggested just changing the
22 number of years and if it is a problem, we can come back to discuss again.

23
24 The motion passed to amend the ordinance to remove the number of years from the ordinance.

25
26 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** There were no public comments made
27 at this meeting.

28
29 **4. DECISIONS**

30
31 a) **CONSENT CALENDAR.** Chairman Carmen asked if there were any items to be removed from the
32 Consent Calendar. No items were removed for discussion. Selectman Putnam moved to accept the Consent
33 Calendar as presented. Selectman Finan seconded. All were in favor. Motion passed 5/0.

- 34
35 (1) **Request for Conditional Endorsement of Daniel S. Campbell as a Full Time Police Officer**
36 **Candidate.** The conditional endorsement of Daniel S. Campbell as a full time police officer can-
37 didate was presented to the Board and approved.
38 (2) **Request for Reacceptance of Deerwood Drive, Greystone Place and Foxmoor Circle.** The re-
39 quest for reacceptance of Deerwood Drive, Greystone Place and Foxmoor Circle was presented to
40 the Board by Lorraine Carson, Town Roads Researcher and approved as follows:

41
42 Deerwood Drive

43 "Deerwood Drive: From its southerly intersection with Badger Hill Drive, northerly a distance of
44 1430.25 feet measured along the east side of the roadway, 50 feet wide, to its northerly intersec-
45 tion with Badger Hill Drive, as per Plan #32140."

46
47 Greystone Place

48 "Greystone Place: commencing on the north line of the roadbed at its intersection with Badger Hill
49 Drive, thence running easterly a distance of 550.28 feet to the commencement of the turn-around,
50 together with the turn-around with a radius of 75 feet, as per As-Built Plan and Profile, Greystone
51 Place, Badger hill, Phase 2, Milford, New Hampshire, dated July 2005, final revision October 21,
52 2005, and as per 'Lot Line Relocation Plan, Map 51, Lot 26, Badger Hill, Phase 2, Osgood Road,
53 Milford, New Hampshire,' dated March 1, 2001, and recorded in the HCRD as Plan #31372."

54
55 Foxmoor Circle

56 "From the intersection with Badger Hill Drive as per 'Lot Line Relocation Plan, Map 51 Lot 26,
57 Badger Hill (Phase 2) Osgood Road, Milford, New Hampshire', dated March 1, 2001 and record-
58 ed in the HCRD as Plan #31372, a distance of 185.42 feet, 50 feet wide, measured on the north

line to the commencement of the turn-around with a 75 foot radius, plus the turn-around. Said distance is supported by details provided on As-Built Plan and Profile Plan, Foxmoor Circle, Badger Hill (Phase 2), Milford, New Hampshire, dated July 2005, final revision October 21 2005, Sheet 25.”

- (3) **Request to Authorize Town Administrator Guy Scaife as Signatory Agent – 66 Elm Street.** The request to authorize Town Administrator Guy Scaife as signatory agent RE: 66 Elm Street property purchase in the amount of \$160,000 as previously negotiated was presented and approved.

c) **OTHER DECISIONS.**

(1) **Scheduling of Selectmen at Polling Location for March 13th Town Vote.** Chairman Carmen indicated that Board members should select the time slots for which they are available to be present at the polls on March 13. This was accomplished, with three selectman (Chairman Carmen, Selectman Finan and Selectman Bauer) being present at the closing of polls to witness box closures.

(2) **Whitten Road Traffic Safety Issue.** Guy Scaife explained he has received letters from residents of the Whitten Road area indicating their concern of the excessive accidents on Whitten Road. Mr. Scaife met with the Nobles and Chief Douglas has spoken to citizens in that area. The accidents seem excessive, and are related mostly to speed. The Nobles are concerned with the road layout and banking of the curve, if a driver is going the speed limit, the bank and curve are not be a problem. This has been before the Traffic Safety Committee (TSC) several times in the past. Large stones were placed out there, but we have been unsuccessful in dealing with excessive speed. Twenty-four hour patrols for speed on that road are not reasonable. Chief Douglas and Guy Scaife have suggested putting in rumble strips on both sides of the curve because it will get the driver’s attention. Guy Scaife said they believe it would go toward slowing people down. Guy Scaife indicated when approaching Peterborough, traveling east on Route 101, there are rumble strips crossing the road and they get the attention of the drivers to slow down. Guy Scaife feels it should be considered and he hopes it will slow people down. The banking of the curve could also cause people to go even faster. The rumble strips would need to be looked at for the depth of the asphalt; there is too much history to not do more than what has been done. The residents out there are seeing cars landing in their yards. Selectman Putnam agreed the town should do that and see what happens and possibly look at redesigning the road or increasing the grade.

Vice Chairman Daniels moved to forward this recommendation to the Traffic Safety Committee. Selectman Putnam seconded. All were in favor. Motion passed 5/0.

Vice Chairman Daniels indicated people will probably continue to not obey the laws, he does not think this will help, it might help in the beginning, but when people are used to the rumble strips being there, it will go back to what it is now. The answer is enforcing the law. Selectman Finan indicated it has been approved to move this on to the TSC. Selectman Bauer agrees that enforcement is the way to go but we can’t do that with the current police staff, this is something to try and will not take away all the accidents. Selectman Finan asked if we should take a vote on the whole Board position. Vice Chairman Daniels said he is the representative to the TSC for the Board and is not opposed to the rumble strips but he feels like a lot of other things have been done that do not help. We should wait until the TSC does their research and then come back with their ideas and accept or reject.

5. **TOWN ADMINISTRATOR REPORT:**

- a) **Valhalla Drive & Willow Street Issues Update.** Guy Scaife indicated that the drainage problems on Willow Street have been narrowed down to numbers 9 and 11. Both residents have been talked to about the plan to put in a drain. They both understand the circumstances and that it that will be the end of the town’s effort. Before summer we will have that completed. We have had a company utilize (underground) cameras on Valhalla Drive to analyze the pipes. 2300 linear feet were looked at but only about 1100 linear feet were actually able to be seen due to blockage. The plan is to look at all of the pipes, so far it has been piecemeal. It needs to be completed. Valhalla Drive at Millbrook, heading west, the pipe dead ends before Valhalla turns north. That section was clearly put in not for storm drains, but for house drains. We found not a single catch basin; there was no place for storm water to gather and it was off the shoulder. That seems to have been put in after the streets were built and accepted. They probably ran into drain problems

1 and then they tied into the storm drain. There was no surface water storm drain capability. The other
2 streets do have catch basin drains for surface water. There are two houses on Millbrook with that unique
3 situation. So far, this has cost the town \$3,400, there have been excessive roots found, pipes that have de-
4 cayed, and other problems. Guy Scaife hopes that this is not indicative of the rest of the town. The block-
5 age in that area is resolved, but there is still a ways to go.

- 6 **b) Miscellaneous.** Guy Scaife indicated that over the weekend, a complaint was filed regarding the Daddy-
7 Daughter Dance where patrons were turned away when the father or another male was not in attendance.
8 Mr. Scaife has had a conversation with Recreation who will look at the department process and procedure
9 for a waiver of such cases, but the Recreation Commission will also be involved. The event was a phe-
10 nomenal success with over 400 participants, almost exceeding capacity. Selectman Bauer appreciates that
11 Mr. Scaife responded quickly to this complaint and commended Nicole Banks, Recreation Director, as
12 well.
13

14 Guy Scaife reminded Board members that HB1305 for the property tax exemption for communication
15 companies comes up for vote this Wednesday; he requested Board involvement to defeat this bill as it was
16 defeated last year. This exemption results in a \$39,000 tax burden that would be passed on to residents if
17 the bill passes. It seems this is being seen as a way of subsidizing this business and those taxes should be
18 paid out of the business profits. Further, Guy Scaife indicated that 49 out of 50 states tax the telephone
19 companies for the poles and conduits; it is his hope that this can be put to bed once and for all. Chairman
20 Carmen indicated the Board needs to send out some e-mails or make phone calls to oppose this bill so that
21 our voice is heard. Vice Chairman Daniels will listen to the debate, because he also hears the other side
22 that states if the exemption is taken away, it will be taxed through the customer bills. Selectman Bauer re-
23 sponded that they are the only utility that gets this subsidy. Guy Scaife said it is very clear, they are the on-
24 ly business that gets this subsidy. If the state feels so strongly about this, they should take it out of their
25 revenue. Selectman Putnam indicated it is out of the town's hands. Selectman Bauer added that when a
26 State issue becomes a local issue, she feels that the town should go to the representatives with their voice.
27

28 **6. DISCUSSIONS.**
29

- 30 **a) Consideration of the Inclusion of an Ambulance Facility Promotional Flyer in the 2012 Voters'**
31 **Guide.** Selectman Bauer explained that the Community Facilities Committee would like to add a color
32 flyer for the proposed ambulance facility to the Voter's Guide. Selectman Bauer further stated it
33 would cost \$700 for a quantity of 7200 flyers to be part of the voter's guide. It is felt that a flyer would
34 be helpful and would answer the many questions about the proposed facility. Selectman Bauer is seek-
35 ing Board authorization to spend the \$700 on the flyers to be added in the Voter's Guide. Selectman
36 Finan thinks it is a good idea. Vice Chairman Daniels asked what additional information would be in-
37 cluded in the flyer. Selectman Bauer answered it shows the new building style, that it is one story, the
38 parking lot size, floor plan, site plan and rendering of the front of the proposed building. It also ex-
39 plains why the site changed from Cottage Street to Elm Street. Vice Chairman Daniels said a flyer is
40 helpful if it is not packed with too much information. Selectman Bauer responded that the design of
41 the flyer is colored and has a lot of facts and the visual floor plan and elevation and site plan showing
42 parking. Selectman Putnam said he does not have a problem with spending the \$700. Selectman Bau-
43 er moved to spend up to \$700 to have the color flyer insert promoting the proposed ambulance facility
44 included in the Voter's Guide. Selectman Finan seconded. All were in favor. Motion passed 5/0.
45

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

- 47 **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Chairman Carmen
48 indicated that the Planning and Zoning Boards are both looking for new members.
49

- 50 **b) OTHER ITEMS (that are not on the agenda).**
51

- 52 **8. APPROVAL OF FINAL MINUTES** – Selectman Putnam moved to approve the minutes of January 16, 2012
53 as amended. Vice Chairman Daniels seconded. Motion passed 4/0/1 with Chairman Carmen abstaining. Selectman
54 Putnam moved to approve the minutes of January 23, 2012. Vice Chairman Daniels seconded. Motion passed 4/0/1
55 with Selectman Putnam abstaining.
56

- 57 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.** There were no other items.
58

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 02/13/12

1 **10. NOTICES.** Notices were read by Chairman Carmen.
2

3 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into Non-public session at 7:05 p.m. in accord-
4 ance with RSA 91:A3(c) for a reputation discussion and for approval of non-public minutes of January 23, 2012- 2
5 sets (Reputation). Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
6

7 Selectman Finan moved to approve the non-public minutes of January 23, 2012 (Reputation) – 2 sets, as presented.
8 Selectman Bauer seconded. All were in favor. Motion passed 5/0.
9

10 Selectman Finan moved to re-seal the non-public minutes of January 23, 2012 – 2 sets (Reputation). Vice Chairman
11 Daniels seconded. All were in favor. Motion passed 5/0.
12

13 Chairman Carmen announced that in non-public session, the Board discussed a reputation matter. Two sets of non-
14 public minutes were approved, for January 23, 2012 (Reputation). No other decisions were made. No other votes
15 were taken.
16

17 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to
18 adjourn at 7:30 p.m. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.
19
20

21 _____
22 Nate Carmen, Chairman

Gary L. Daniels, Vice Chairman

23
24
25 _____
26 Katherine Bauer, Member

Tim Finan, Member

27
28
29 _____
30 Mike Putnam, Member
31