

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
February 27, 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 5:30 p.m. 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. Chairman Carmen asked for a motion to enter non-public session. Selectman Finan moved to enter into non-public session for a reputation discussion. Vice Chairman Daniels seconded. All were in favor. After adjournment of the non-public session at 5:43 p.m. Chairman Carmen announced that during the non-public session, a reputation issue was discussed. No votes were taken.

2. APPOINTMENTS:

5:30 p.m. – Non-Public Session (RSA 91-A:3, II(c)- Reputation. Police Chief Douglas was present for this discussion. After discussion, Chairman Carmen announced that during the non-public session, a reputation issue was discussed. No votes were taken. The non-public session was adjourned at 5:43 p.m. after the minutes were sealed on motion made by Selectman Finan and seconded by Vice Chairman Daniels. All were in favor.

5:35 p.m. – Departmental Update - Police. Police Chief Douglas reviewed the presentation representing the last six months of police activity including two new hires, one lateral transfer, no retirements and one military patrolman that will return to service March 13. The way of recording activity has been changed and now all calls to service go through MACC Base. When they get a call for service everything is done by the officer from the laptop. Because of this, some of the numbers will be in a different category and might appear to be skewed. The total number of activities is 49,200. Property crimes have been most of the arrests, which are up since 2010. Motor vehicle accidents are up; it is felt that patrol visibility is what keeps accidents down. Selectman Putnam asked why there are more accidents. Chief Douglas indicated there are more crimes being committed resulting in less time available to focus on traffic and speed related accidents. The crimes are up and the motor vehicle activity is down. The officers are dealing with the crimes so they are not out observing motor vehicles as much. The Board of Selectman needs to recognize that the police management needs to look at the staffing model; there are issues that we can be proactive about, but recently the department has been more reactive. The town might consider expanding the police force. The positions are hard to fill. The last hire would have brought the department to a full staff and we have one open position at this time. In order for the department to be more proactive, Chief Douglas said we need more staff. Next year when the budget is being worked on, Selectman Bauer would like to hear any arguments regarding that and would like to hear the backup data in order to have a good discussion.

Selectman Finan does not recall any discussion asking for more patrol hires. Chief Douglas said that is correct and that it is hard to ask for more when he cannot fill what is already open. Chairman Carmen noted that the trend seems to be that there is more activity. Chief Douglas responded that in 1978 there were 8 patrol officers on the streets and now we have 14. Selectman Finan indicated there have been more motor vehicle activities and asked if that could be due to the State Police not being in the Milford area? Chief Douglas does not believe that is so, since the town police are responsible for its citizens. The Keyes Field offenses are up, Chief Douglas does not know why except because of the economy, causing more families to take advantages of the activities at Keyes, but the suspensions are real. Chief Douglas praised the departments for the implementation of the suspension program because he feels it is working. Gang related activity has calmed down a lot.

Chief Douglas questioned how can we define how well the department is doing? In a lot of ways, it is the exposure the agency has had with civil lawsuits, or lack thereof. The department liability is extreme and we are very fortunate

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 02/27/12

1 that we have very professional people on staff. The training continues in the department and covers a lot of topics;
2 one of the newer training segments is Autism 911 which is a three-hour session with professionals with knowledge
3 on autism – a lot of officers in town now know how to handle those citizens. Chief Douglas is looking forward to
4 that subject matter in the future. In January 2012, the Telegraph ran an article about crime rates in NH and Hills-
5 borough County. The statistical data from 1985 to 2010 was compared and the violent crime rate in 1985 was accu-
6 rate. In 2010 that number was down 51%. Chief Douglas is pleased with that number since it has been cut in half.
7 That is pretty impressive. It has been challenging in the past 5-6 years. Chief Douglas asked for questions from the
8 Board.

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10 Chairman Carmen asked about property crimes; the pawnbrokers issue was raised a while ago with the melting of
11 gold and then selling of gold, have we seen anything recently with these types of activity? Chief Douglas responded
12 yes we still see that. Stolen items from this community have been recovered. Arrests have been made. The larger
13 cities (Nashua and Manchester) are going to change their ordinances in response to problems being encountered.
14 Selectman Bauer said that NH has also become an island state for people that use prescription drugs because other
15 states have a computer database for usage of those drugs; she asked Chief Douglas if he is aware of those situations?
16 Chief Douglas responded that prescription drugs are a huge problem for police and society right now. There is no
17 database in NH, it is the privacy versus the public safety issue. There are people that get prescription drugs for an
18 ailment, that then will go to another doctor for the same ailment and get another prescription (Percocet) and they get
19 hooked. With no clearing house, Chief Douglas does not know the answer, but the end result is not good. It is pub-
20 lic safety versus privacy. It is people that are either doing it for themselves or selling it on the street, which is a big
21 issue.

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23 Selectman Bauer asked about HB1341 which is coming up for vote March 7 and includes gunfire being allowed in
24 parks and playgrounds. This has to do with municipal property and if it passes, it would allow the discharge of fire-
25 arms in the compact area of town. Selectman Bauer asked what the police can do in that area. Chief Douglas does
26 not believe that the State can regulate what the communities want. It should not be adopted by reference, it is taking
27 away local control. Selectman Bauer agreed, taking away that authority from the municipalities is alarming to her.
28 About a year ago, Chief Douglas explained a firearm was discharged on Middle Street, that person was arrested and
29 charged for that discharge, fortunately nobody was harmed.

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31 Vice Chairman Daniels asked how many police vehicles have over 100,000 miles. Chief Douglas responded there
32 are three, two of which are ready for replacement. Vice Chairman Daniels asked what have been the maintenance
33 requirements for those vehicles with over 100,000 miles. Chief Douglas did not have that information with him but
34 can get that from his computer. Vice Chairman Daniels has had citizens approach him about the 100,000 miles and
35 the rotation cycle. Chief Douglas indicated that the vehicles are rotated down and he would be concerned about the
36 mechanical abilities traveling in response to an emergency of speeds up to 120 mph in a vehicle that has over
37 100,000 miles. The older cruisers do not have an hours (of service) tally they only have an odometer, but the newer
38 models do.

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40 **6:30 p.m. – Interview of Kevin Johnson (full member), Zach Tripp (full member) and Laura Horning (full**
41 **member) as Zoning Board of Adjustment Reappointment Candidates.** Kevin Johnson was unable to attend to-
42 night’s meeting, Zach Tripp and Laura Horning were present for this meeting. Chairman Carmen asked Zach what
43 his position is on the ZBA. Zach explained he has been an alternate, but this appointment is for a full member. Se-
44 lectman Bauer indicated she watches these meeting on PEG Access and feels that Zach has always done his home-
45 work and asks questions; she is pleased that Zach wishes to become a full member. Selectman Finan asked how
46 long Zach has been an alternate. Zach responded he has been an alternate for two years. Vice Chairman Daniels
47 asked how the ZBA is different than what he originally imagined it to be. The biggest thing, said Zach, is the details
48 of the land owners versus the town; the ZBA must stick to the questions that the State requires to be answered.
49 Chairman Carmen said it seems like it would become easier over time. Zach agreed. A lot of times the applicant
50 brings additional information to the subject matter but the ZBA has to stick to the facts. Selectman Bauer moved to
51 appoint Zach Tripp as a full member of the ZBA to March 31, 2015. Vice Chairman Daniels seconded. All were in
52 favor. Motion passed 5/0.

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54 Laura Horning was asked how long she has been working with the ZBA. Ms. Horning responded four years and she
55 has managed to avoid being the Chairperson so far. Again, Selectman Bauer said she watches the meetings on PEG
56 Access and Laura seems to have done her homework at each meeting; she is glad that Laura is willing to go for an-
57 other term. Ms. Horning feels that sometimes the applicant wants to bring everything about their property before the
58 ZBA but the ZBA has to stick to the law. Ms. Horning did add that the ZBA is looking for alternate members to

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 02/27/12

1 join; people that are searching for a job might wish to volunteer to add to their experience on their resume. Vice
2 Chairman Daniels moved to appoint Laura Horning as a full member of the ZBA to March 31, 2013. Selectman
3 Bauer seconded. All were in favor. Motion passed 5/0.

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5 Kevin Johnson was unable to attend tonight's meeting but does seek reappointment as a full member of the ZBA.
6 Vice Chairman Daniels moved to appoint Kevin Johnson as a full member of the ZBA to March 31, 2015. Select-
7 man Finan seconded. All were in favor. Motion passed 5/0.

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9 **6:45 p.m. – Interview of Tracy Hutchins (present) and Matt Ciardelli (not present) as Economic Development**
10 **Advisory Council (EDAC) Reappointment Candidates.** Selectman Putnam asked how it was going on EDAC.
11 Ms. Hutchins feels it is going really well. In the past year or so, we have attacked some real issues, the new web site
12 came out of it and the hotel feasibility study also came out of it. There are some big issues, so it will take time.
13 Selectman Finan asked about the “branding” that was talked about last year. Ms. Hutchins responded that is some-
14 thing she is chairing and it was mostly waiting on the new website which is now launched. The Milford Improve-
15 ment Team (MIT) will be involved in that as well. Chairman Carmen asked about the funding that EDAC had at the
16 beginning. Ms. Hutchins said that Bill Parker kept track of that. Guy Scaife added that the funding that was availa-
17 ble is now depleted. Chairman Carmen asked about the possibility of a hotel in town. Ms. Hutchins indicated that
18 EDAC feels the town would benefit by having a hotel as would the businesses. Vice Chairman Daniels moved to
19 appoint Tracy Hutchins as a full member of the Economic Development Advisory Council to March 31, 2015. Se-
20 lectman Finan seconded. All were in favor. Motion passed 4/0/1 with Selectman Putnam abstaining.

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22 Matt Ciardelli was not present for tonight's meeting but would like to continue on EDAC. Vice Chairman Daniels
23 moved to appoint Matt Ciardelli as a full member of the Economic Development Advisory Council to March 31,
24 2015. Selectman Finan seconded. All were in favor. Motion passed 4/0/1 with Selectman Putnam abstaining.

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26 **6:55 p.m. – Interview of Chris Costantino and Andy Hughes as Conservation Commission Reappointment**
27 **Candidates.** Chris Costantino and Andy Hughes were both present for this interview. Vice Chairman Daniels
28 asked what has been accomplished and what you look forward to accomplishing. Mr. Hughes responded that out-
29 reach to promote the use of the public land is primary for him. He would like to get the message out to the town and
30 actively pursue land conservation – promoting conservation in town as a whole. Ms. Costantino added that the CC
31 used to tend to be more policy oriented and now we are doing more management. She sees more use of the trails as
32 a result of outreach. Vice Chairman Daniels asked if they see connecting the trails with heritage at all. Ms.
33 Costantino said it is possible, but the properties being looked at are on the outskirts of town. Vice Chairman Daniels
34 asked about places like Monson being connected. Ms. Costantino indicated they are working on a circumferential
35 greenway to get to Monson from Federal Hill and from there to the Rail Trail. The trails exist, trail easements are
36 the key and the hope it to connect them all. The kids that have been out on the trails have access (to the trails) from
37 their yards.

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39 Vice Chairman Daniels suggested if we try to connect the trails to heritage that might bring people to Milford. Ms.
40 Costantino said they have talked about a running route for people that run; if a hotel comes to town that would be
41 nice to do. Mr. Hughes has been on the Conservation Commission for two years and has not done a lot of reviews
42 of plans but we anticipate more of that at future meetings. Selectman Bauer asked about participation at the Expo
43 every year. Ms. Costantino responded that they do participate and offer maps at the Expo and on the website.
44 Chairman Carmen feels a lot has been done by the Conservation Commission. Vice Chairman Daniels moved to
45 appoint Chris Costantino to the Conservation Commission as an Alternate member to March 31, 2015. Selectman
46 Putnam seconded. All were in favor. Motion passed 5/0. Vice Chairman Daniels moved to appoint Andy Hughes to
47 the Conservation Commission as a Full member to March 31, 2015. Selectman Putnam seconded. All were in fa-
48 vor. Motion passed 5/0.

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

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53 **4. DECISIONS**

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55 a) **CONSENT CALENDAR.** Chairman Carmen asked if there were any items to be removed from the
56 Consent Calendar. Item 4a2 was removed for discussion by Selectman Bauer. Vice Chairman Daniels moved to
57 accept the Consent Calendar as presented with the exception of Item 4a2. Selectman Finan seconded. All were in
58 favor. Motion passed 5/0.

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- (1) **Request for Approval of Petition from Fairpoint Communications and PSNH for Pole Licenses (2) (South Street and Hammond Road Map/Lot 105/1-1-2 and 204/5-1).** The requests for approval of petition from Fairpoint Communications and PSNH for Pole Licenses were approved as presented for South Street and Hammond Road.

- (2) **Request to Approve the Expanded Keyes Art Festival, Use of Town-owned Property, Support of Town Staff.** The request for the expanded Keyes Art Festival, Use of Town-owned Property and Support of Town Staff was removed from the Consent Calendar by Selectman Bauer for discussion. Chairman Carmen explained that this Art Festival has been going on for many years. A few years ago the art show was broadened to bring more people into town. An art demonstration was added and children’s activities. This is held the first weekend in June and is held mostly in the Town Hall Auditorium but activities have been added both on the Oval and now on Middle Street. Last year, the Milford Masons and NH Arts sponsored the event. This year, the Milford Masons will again be able to sponsor the event. Tonight’s request is that Middle Street be closed during the festival for crafters. The crafters will only be artisans, food vendors will not be on Middle Street – this will be run similar to the League of NH Craftsman fair held in Sunapee NH each year and those proceeds will help to fund the festival. Tracy Hutchins is hoping that the crafter fees will cover the expenses. If ten crafter’s sign up, we might break even. The event will be set up starting Friday morning, June 1 when the west side of parking on the oval would be closed (for tent setup). Middle Street would be closed by 6 a.m. Saturday morning for set up and re-open Sunday about 4 p.m. Selectman Bauer asked if the ambulances would be off site during that time. Tracy Hutchins said that is what will be done, similar to Pumpkin Festival. Selectman Bauer thinks this is a good idea. Vice Chairman Daniels asked how long the west side of the oval would be closed. Ms. Hutchins indicated it is just the parking on the west side of the oval, not the oval traffic. The traffic pattern would not change at all. Selectman Bauer moved to approve this request as submitted to expand the Keyes Art Festival. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

b) OTHER DECISIONS.

- (1) **Ambulance Facility Public Information Session – Scheduling of Selectmen at the Transfer Station – Saturday, March 10, 2012 – 10 a.m. to 1 p.m.** Chairman Carmen and Selectman Bauer indicated they will be at the Transfer Station from 10-1 on March 10, 2012, coffee and donuts may be provided. Selectman Bauer hopes that the Voter’s Guide will be in the mail before this event. Ambulance staff and Community Facilities Committee will also be there.

5. TOWN ADMINISTRATOR REPORT:

- a) **66 Elm Street Property Update.** Guy Scaife stated that this property is being proposed for the Ambulance Facility proposed on this year’s warrant. The easement for a right of way on the driveway needs to be re-worked and that is in process. Phase I environmental assessment has been quoted. The structure that will be demo’d has hazardous materials which must be removed. The demo contractor will provide that price. In the event the warrant article passes, we will be ready to move on this property. The house that is there now was built in 1910. Selectman Putnam asked if the new ambulance facility design was included in the original \$25,000 for the design. Guy Scaife explained no, it was not included but he will have to get those numbers, it is around \$20,000.

- b) **Miscellaneous.** The dam removal feasibility has been delayed – the historical impact of the body of water is being questioned. The dams themselves are not historical but the bodies of water are historical. That means that in the event the dams are removed, there must be mitigation. The sediments that were tested last year are being reviewed, unfortunately EPA and DEA have different tolerance levels which must be resolved. Another challenge is the oil seepage found last fall, they have not found the source for that. That continues to be “boomed” but no further investigation is being done, and we are letting it run its course. This continues to be monitored.

The Fletcher Site clean-up is moving forward but it is slow. It is between EPA & GE right now. It is believed that GE will do some exploration on Mill Street and the Fletcher Site in 2012 and possibly in late fall build a temporary parking area. In 2013 the true clean up is planned to be started.

1 The Voter's Guide is planned to be mailed March 6 and March 7, and delivered no later than March 8.
2

3 The Town operates under a calendar year, the State operates under a fiscal year; Guy Scaife indicated some
4 communities have converted to a fiscal year. Guy Scaife will work with NHMA to see about some policy items
5 to have Vice Chairman Daniels take forward to change to a fiscal year in a simple manner. Peterborough has
6 changed over but they had to borrow money for the third period (6 months) during that change over. Guy Scaife
7 will work on this and bring information back to the Board before taking it to NHMA. This was talked about a
8 while ago and it makes sense to change over. Right now, Milford is 3 months into the year before the budget is
9 even in affect.
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11 **6. DISCUSSIONS.**

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13 a) **Potential Town Office Holiday Closures December 24 & 31, 2012.** Guy Scaife explained that this
14 has to do with closing the town offices for Christmas Eve (December 24) and New Year's Eve (De-
15 cember 31), since they both fall on a Monday. The time off would be the responsibility of the employ-
16 ee by using personal or vacation time or taking a day off without pay. There might be savings to the
17 town by not opening and closing for one day. Guy Scaife felt this should be explored. The most af-
18 fected areas would be the Town Clerk's office and the Tax Collector's office which could both give
19 advance notice to customers. Emergency Services never shut down and the Transfer Station is closed
20 on Mondays and therefore closed anyway. Employees would need to know that those days need to be
21 accounted for and that there would be no adjustment in holiday time. Selectman Putnam said he will
22 talk with the Water Utilities tomorrow to be sure that works for them. The consensus of the Board was
23 that these two closures would be acceptable and that employees would need to plan for the time off and
24 notify customers appropriately.
25

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

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

28 1) **Recycling.** Vice Chairman Daniels indicated the Recycling Committee met last Tuesday and the big
29 question is how much money is available. The paving issue is already covered. They are looking for consensus
30 from the Board. He will bring a list to the next meeting for discussion. Guy Scaife asked that issues be brought
31 to him and if he cannot address he will come to the Board, but it is an operational issue.

32 1) **MACC Base.** Chairman Carmen explained that the MACC Base contract expires at the end of 2013.
33 Any member that wants to discontinue its use must provide a one year notice at the end of December 2012. Chair-
34 man Carmen is currently on the Board of Governors and they are looking at that now in order to move to a new con-
35 tract. They are looking at pulling in another town just for revenue. MACC Base is still looking at opportunities to
36 pull in revenue. If anyone has anything, Chairman Carmen asked for them to bring it forward to Jason and the
37 Board of Governors to discuss. Selectman Bauer asked if there is a plan for MACC Base to be more proactive.
38 Chairman Carmen said if we do it, it would be at the next meeting. It is a process, it is being worked on. The Board
39 of Governors needs to look at it to see what we can do it for.
40

41 b) **OTHER ITEMS (that are not on the agenda).** Peter Bragdon wished to notify the Board of a bill he
42 filed (SB399) in regards to the permitting fees for the Osgood Pond dredging. This hearing will take place March 8
43 at 9:30 p.m. and he requests Board support from the town. The permitting costs could be up to \$100,000. This bill
44 is to limit the permitting fees to \$10,000. Vice Chairman Daniels said he will attend the hearing. Guy Scaife asked
45 if the Board members concur with HB1306 that they contact the representatives - the vote is March 7 and it is re-
46 garding the retirement system and retirees. Guy Scaife believes the intent was good but it would work against retir-
47 ees that return as part time municipal employees and creates an administrative burden to track it.
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49 **8. APPROVAL OF FINAL MINUTES** - There were no minutes presented at this meeting.
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51 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.** There were no other items.
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53 **10. NOTICES.** Notices were read by Chairman Carmen.
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55 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into Non-public session at 7:45 p.m. in accord-
56 ance with RSA 91:A3(c) for a reputation discussion.
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58 Chairman Carmen announced that in non-public session, the Board discussed a reputation matter. No decisions
59 were made. No votes were taken.

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 02/27/12

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12. ADJOURNMENT: There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 8:05 p.m. Vice Chairman Daniels seconded. All were in favor. Motion passed 5/0.

Nate Carmen, Chairman

Gary L. Daniels, Vice Chairman

Katherine Bauer, Member

Tim Finan, Member

Mike Putnam, Member