

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
June 25, 2012

**PRESENT:** Gary Daniels, Chairman  
Tim Finan, Vice Chairman  
Mike Putnam, Member  
Katherine Bauer, Member  
Mark Fougere, Member  
Guy Scaife, Town Administrator

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

**INSTRUCTIONS:** Chairman Daniels called the meeting to order at 5:35 p.m. after a non-public session ended. Chairman Daniels introduced Board members and led the audience in the Pledge of Allegiance. Chairman Daniels 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(c & e))– Reputation and Legal.** Selectman Putnam moved to enter into non-public session at 5:30 p.m. in accordance with RSA 91-A:3 II (c & e) for reputation and legal. Selectman Fougere seconded. All were in favor. Motion passed 5/0. After discussion, Vice Chairman Finan moved to come out of non-public session at 5:50 p.m. Selectman Fougere seconded. All were in favor. Motion passed 5/0. Vice Chairman Finan moved to seal the minutes of the non-public session. Selectman Bauer seconded. All were in favor. Motion passed 5/0. Chairman Daniels announced that during non-public session, the Board discussed two issues pertaining to reputation and legal and made one decision.

**5:35 p.m. – Request for Approval of (1) Late-Filed Blind Exemption Application and Approval of (4) and Denial of (6) Property Tax Abatement Applications.** Marti Noel, Town Assessor, indicated she has one late-filed application for a blind exemption with reasonable cause for the application to be late, which she is recommending for approval. Selectman Putnam moved to approve as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Ms. Noel then presented the abatement applications, for which she is recommending 4 for approval and 6 for denial as presented. Selectman Putnam moved to approve the 4 abatement applications recommended for approval by the Town Assessor as listed. Selectman Bauer seconded. Motion passed 5/0.

**ABATEMENT APPROVALS:**

<u>Record Number</u>	<u>Property</u>	<u>Amount</u>
11171	15 Westchester Dr.	\$ 3,291.56
11172	25 & 27 Elm St.	\$ 395.68
11181	18 Meadowbrook Dr.	\$ 2,663.42
11185	161 Bridge St.	\$11,197.74

Selectman Putnam moved to approve the 6 abatement applications recommended for denial by the Town Assessor as listed. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

**ABATEMENT DENIALS:**

<u>Record Number</u>	<u>Property</u>
1154	320 Elm St.
1155	300 Elm St.
11176	Townwide owner Northern NE Telephone Op. LLC
11182	80 Adams St.
11183	0 North St.
11184	28 Savage Rd.

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1 **5:45 p.m. – Request for Denial of (75) 2011 Property Tax Abatement Applications – Badger Hill Subdivision.**

2 Ms. Noel indicated the other abatement applications that Ms. Noel has recommended for denial for the Badger Hill  
3 Subdivision (75) which the applicant had requested to be handled separate from the others in order for the applicant  
4 to be present, however that appointment was scheduled for 5:45 p.m. this evening and she does not see that he is yet  
5 present this evening, but she can hang around in case he shows up late but she has not heard from him. Selectman  
6 Putnam asked if he was aware of the time that he was supposed to be here? Ms. Noel indicated he was instructed he  
7 should call to double check the time but he had not called as of 5:00 p.m. today. Selectman Putnam suggested he is  
8 not here, so the meeting should carry on. Ms. Noel indicated that she would like to proceed and that at the appeal  
9 level, the applicant has another option and denial here does not preclude further appeal. The basis for Ms. Noel's  
10 recommendations for denial of the 75 applications vary, but include that the applications were incomplete when  
11 submitted and the burden of proof was not demonstrated that the values on the lots were erroneous. A third reason  
12 for denial was that one of the lots (Map 51 Lots 26-72) was not owned by Badger Mountain as of April 1, 2011 and  
13 this request is for a 2010 abatement. The details of these two abatement requests can be found in the agenda packet  
14 for the June 25, 2012 Board of Selectman meeting.  
15

16 Selectman Fougere moved to accept the recommendation of the Town Assessor to deny the Badger Hill abatement  
17 applications (75). Selectman Putnam seconded. Motion passed 5/0.  
18

19 **6:00 p.m. – Request for Denial of (37) 2011 Property Tax Abatement Applications – Quarrywood Green**

20 **Condominiums.** Additionally, Ms. Noel indicated that the additional abatement applications for this evening,  
21 scheduled for 6:00 p.m. this evening for Quarrywood Green Condominiums (37) that she is recommending for deni-  
22 al has requested the appointment to be rescheduled to the next meeting on July 9, 2012.  
23

24 **6:20 p.m. – Departmental Update – Fire and MACC Base Equipment Upgrade Grant.** Jack Kelly, Fire Chief,

25 started by stating he is very happy with how the department is running at this time. Run Cards are in place, the new  
26 Pumper Tanker has been ordered and delivery will be about November 2012. I-Pads have been installed in E1, E2,  
27 E3 and the Fire Chief car, two more installations are anticipated for 2013. Selectman Bauer asked of the 51 total fire  
28 department staff, does that include the full time employees? Chief Kelly said that it does. Selectman Bauer wanted  
29 to remind people that this town has a mostly volunteer Fire Department with great volunteers. Chief Kelly agreed.  
30 Selectman Bauer asked if Chief Kelly has met with the CIP committee yet? Chief Kelly has not met with them yet,  
31 but July 18 he meets with them. Selectman Bauer asked for input on a future west end station. At this time, Chief  
32 Kelly does not see it, but it all depends on what is happening at that end, and if the BROX property takes off.  
33 Americorps will end in September 2012, the Government will no longer fund that activity, which gave the Fire De-  
34 partment two guys, three days a week. Chief Kelly hopes that he can have a couple of guys do three days per week  
35 per diem instead. Selectman Putnam asked Chief Kelly to tell the Board about the Boot Camp that they discussed  
36 last week. Chief Kelly explained that statistically, firefighters die on the job or from heart attacks. In talking with  
37 Captain Flaherty, they decided to come up with a program for the firefighters to eat better and take up a physical  
38 training program, in all there were over 20 participants that worked out at Hampshire Hills for 6 weeks and were  
39 tickled about it. That 6-week program just ended and another program will begin in July for the other half of the  
40 department. All members thanked Chief Kelly. Selectman Fougere asked if there was a lightening strike today up  
41 at Riley's. Chief Kelly said there was and it was a fully involved fire and there was another lightening strike up on  
42 Gerry's Way that did not result in a fire.  
43

44 Jason Johnson, MACC Base Director, provided an update for MACC Base, indicating they are looking into grants to  
45 assist firefighters through FEMA. The equipment used by MACC Base currently is owned by the Town of Milford  
46 and is obsolete, so through grants, new equipment is being sought, a preliminary estimate is \$108,000, so they are  
47 applying for a grant in the amount of \$150,000. The grant is 90/10 with 10% being paid for through our communi-  
48 ties. Ownership of the equipment might be an issue; the Town of Milford would be the one on paper applying for  
49 the grant, however it will be submitted with data from all the supported communities and therefore becomes a re-  
50 gional project which gets it favorably looked on by the evaluating committee. Mr. Johnson's concern is that the  
51 accounting portion of this transaction would be showing the Town of Milford ownership, however, he would like the  
52 equipment to be owned by MACC Base. Chairman Daniels asked what the timing on applying for the grant is. Mr.  
53 Johnson responded it needs to be done by next Friday, it was an extremely short timeframe. Vice Chairman Finan  
54 asked if the equipment were owned by MACC Base, would it be owned proportionately as the contract states among  
55 the towns. Mr. Johnson responded that is correct it would be owned proportionately as the funding is done, that is  
56 the way the contract is written. Vice Chairman Finan wants to be sure that is the way it is written in case a commu-  
57 nity pulls out, so that their portion could be "bought out". We just have to make sure it is very clear.  
58

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1 Guy Scaife believes that is an area that needs to be explored since he does not believe that is the way the contract is  
2 written. Guy Scaife believes if a community pulls out, they lose all rights to that equipment. Mr. Johnson stated  
3 that the present contract is good through 2013. The Governing Board is looking over the contract to get it in order.  
4 Chairman Daniels noted that is a goal for the Board of Selectman this year as well. Guy Scaife suggested this is  
5 something that must be acted on quickly and he feels it is a no brainer, we've got to move forward. Milford has foot  
6 the bill on the equipment from 2004 to 2012, so it may be time for some sharing of that but regardless, when Milford  
7 looks at its own needs, new equipment will be needed and if we can get equipment and the total out of pocket would  
8 only be about \$15,000, it would be worth it if Milford had to go on their own just to get that equipment, Guy Scaife  
9 suggested we can't hesitate but we should try to come to a favorable agreement. Jason Johnson indicated the point  
10 of contact in Boston stated it would be more favorably reviewed if it were a regional center because it would be  
11 21,000 people instead of just Milford's 14,000 population. Mr. Johnson continued that it is primarily for Fire and  
12 EMS but if awarded, it can be also used for police channels as well. Guy Scaife asked if the grant application were  
13 done by the Town of Milford on behalf of MACC Base that serves those communities, he suspects that would satis-  
14 fy the regional aspect and it could get processed quickly and then work out the relationship of the other communi-  
15 ties. Mr. Johnson said that is perfectly acceptable if the Board would like to do that and he can continue to collect  
16 information from the other communities and forward that to whomever will spearhead this for the Town of Milford.  
17

18 Selectman Putnam thinks we should go ahead with the grant and figure it out later, ownership will come down the  
19 road, we need to see if we get the grant, we should support with getting the grant and if we get it, the money would  
20 go through our books because we are applying for the grant; it is a great idea because if we can get a 90/10 split  
21 that's great since the equipment is dying and you know how long computers last these days – should there be a vote  
22 on this? Selectman Bauer asked if Mr. Johnson felt it works having Milford apply on behalf of all the member  
23 communities. Mr. Johnson believes as long as all the communities are included in the numbers (population) he be-  
24 lieves that is correct since it shows it is regional with the other communities. Chairman Daniels asked about apply-  
25 ing for it and deciding who owns it after the fact, wouldn't that be too late? Mr. Johnson responded that it is similar  
26 to the way the equipment is currently owned by Milford but all three communities benefit from the equipment. Se-  
27 lectman Putnam suggested that he could discuss this at the next MACC Base meeting with the two other communi-  
28 ties and if Milford pays the entire 10% then Milford would continue to own the equipment. The towns have been  
29 working together for close to 30 years and he doesn't see any need to panic about it. Selectman Bauer agrees with  
30 Selectman Putnam to apply as Milford and take the chance that it is not as favorably viewed. Mr. Johnson needs to  
31 know if he is continuing to pursue this grant or if it is being done by Milford, who is doing the legwork? Selectman  
32 Fougere thinks it is wise to apply as a region, that will be a stronger application. Guy Scaife believes it is not un-  
33 common for one town to take the lead, we are replacing existing equipment for the region and the intent is to serve  
34 the region. Vice Chairman Finan stated it is just semantics, it is serving the region, even if Milford applies for it.  
35 Chairman Daniels questioned the contract wording which he believes states the last town standing (with MACC  
36 Base) would own the equipment. Guy Scaife indicated the equipment would be a capital asset and would be on the  
37 books and because it would be Milford signing it, the default position is that it would be Milford's, but that is a de-  
38 tail that can be worked out.  
39

40 Selectman Putnam moved to allow MACC Base to run the grant through the Town of Milford. Selectman Bauer  
41 seconded. All were in favor. Motion passed 5/0. Chairman Daniels stated that Mr. Johnson can work out any de-  
42 tails with Guy Scaife.  
43

44 **6:50 p.m. – Departmental Update – Community Development.** Bill Parker, Community Development Director,  
45 indicated that he last provided an update last fall. Mr. Parker provided an update on the South Street project, which  
46 has had significant delays primarily with the utility design and finalizing the easements along South Street. An  
47 amended Scope of Work is in process and is going on about eight months working with DOT, with that, then we can  
48 move forward on finalizing the easements and the design and then he hopes to get the project advertised late winter  
49 and under construction next spring. Selectman Fougere asked what improvements would be done. Mr. Parker ex-  
50 plained new sidewalks and underground utilities and backing up of sidewalks to make a wider paved surface. The  
51 Department is also working on the Emerson/Armory Road intersection and signalization which is moving relatively  
52 quickly since it is a simpler project. More than likely this will move in spring 2013.  
53

54 Mr. Parker reviewed the various Boards that fall under Community Development and noted that the Zoning Board is  
55 looking for full time members since it just lost a full time member. Selectman Fougere agreed, stating it is a critical  
56 Board in the town and if anyone wishes to serve the community this is a good place to volunteer. Vice Chairman  
57 Finan asked Mr. Parker if he feels the streamlining of the permitting process is complete, as the Economic Devel-  
58 opment Advisory Committee (EDAC) had that as its first goal, or is it ongoing? Mr. Parker feels it is ongoing but

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1 the first result of the EDAC goal was better communication within departments and more awareness within depart-  
2 ments about having good procedures in place. There are always more improvements that can be made. Vice  
3 Chairman Finan asked if EDAC is satisfied that their goal has been met? Mr. Parker thinks they are satisfied and the  
4 customer service survey for the Community Development office is the next stage for that. Chairman Daniels asked  
5 what is happening as far as marketing Brox. Mr. Parker indicated Grubb & Ellis is marketing the property, however  
6 because of the "option to buy" the property is a little tied up but we still refer interested parties to Grubb & Ellis.  
7 Chairman Daniels asked how much the "option to buy" ties up the property, would they get first right? Mr. Parker  
8 believes that is correct and we would also go back to those people to see if their options or ideas have changed. Se-  
9 lectman Fougere asked if the town has a signed Purchase & Sales Agreement? Mr. Parker said there is an agree-  
10 ment. Chairman Daniels asked how long we are tied up with that? Mr. Parker responded that as soon as the old  
11 police station sale goes through, then there is a time period when they must purchase smaller lots from Brox within  
12 ten years. Selectman Bauer noted that having that option to buy with Andover is progress, now there are  
13 timeframes, etc. but it is progress.  
14

**7:20 p.m. – Recognition of Service to the Town – Retirement of Patrol Officer First Class Dean Hardwick.**

15 Chairman Daniels thanked Patrol Officer First Class Dean Hardwick for his many years in Milford and wished him  
16 a happy retirement. Guy Scaife indicated that he has only known Officer Hardwick for a few years but there has  
17 never been an officer that has worn his uniform with more dignity. Selectman Bauer as a Selectman and as his  
18 mother thanked Officer Hardwick for his work with the police dogs that the children have loved. Officer Hardwick  
19 thanked the Board.  
20

**7:25 p.m. – Final Vote on Ordinance 2012-004 to Amend Milford Municipal Code 6.32.100 – Speed Limits –**  
**Federal Hill Road.** Chairman Daniels opened the public hearing at 7:25 p.m. for ordinance 2012-004. Selectman  
21 Putnam moved to adopt Milford Municipal Code 6.32.100 as amended. Selectman Bauer seconded. All were in  
22 favor. Motion passed 5/0.  
23

**7:30 p.m. – First Public Hearing on Ordinance 2012-006 to Amend Milford Municipal Code 5.20 – Recy-  
24 cling/Solid Waste.** Chairman Daniels opened the public hearing at 7:30 p.m. and explained the Recycling Commit-  
25 tee has spent months revamping this code. Chairman Daniels explained some of the changes, including the number-  
26 ing system. He noted that in the future it is planned that better signage at the Transfer Station will be used so that it  
27 is more obvious where things are to be deposited at the Transfer Station. It is hoped that these changes will make it  
28 a little easier to read and is part of the overall plan to enhance recycling in town. Selectman Bauer agreed, stating  
29 this is user friendly, she read it as a citizen and raised a couple of questions. Selectman Fougere asked if most of the  
30 changes were reorganization or was there actually changes to the content? Chairman Daniels responded that it was  
31 mostly reorganization to make it user friendly but there were some content changes in things such as recyclables that  
32 are no longer recyclable or vice versa. Guy Scaife asked if the language regarding recycling should include busi-  
33 nesses, and not only residents. Chairman Daniels indicated that the language on page 3 was taken directly from the  
34 town meeting vote on March 14, 1989 therefore, that language cannot be changed, as that was the language of the  
35 warrant article on which the vote was taken. Guy Scaife also questioned the numbering system, which is a change  
36 from the way all the other ordinances are set up, he is not sure that numbering consistency matters throughout the  
37 ordinance but it does matter from one ordinance to the next. Guy Scaife does not believe that a definition is required  
38 for every section and there ought to be consideration about if there is such benefit that would cause us to change the  
39 index listing or to re-think the numbering/naming convention of all the other ordinances or could this follow the  
40 numbering system already established. Chairman Daniels responded that the Recycling Committee unanimously  
41 felt the new numbering system was better and they also understood that its restructuring did not conform with the  
42 other ordinances. Selectman Bauer does not see a problem with this, she likes the way it is laid out, she knows it is  
43 inconsistent but does not see a big problem with it being inconsistent. Vice Chairman Finan stated this could be-  
44 come a booklet, not the ordinance per se. And the ordinance could be formatted differently to conform with every-  
45 thing else. Vice Chairman Finan indicated whatever works, works. Selectman Bauer asked if anyone is every going  
46 to notice that it's formatted differently. Vice Chairman Finan stated that this Board has been pushing for on-line  
47 ordinances and automation and all that stuff and if it messes things up with that, then it is an issue. Guy Scaife  
48 thinks it can be controlled as long as we don't list in the index all the sub-topics. Chairman Daniels is okay with  
49 that. Chairman Daniels will make the changes and bring it back for a second reading two weeks from today  
50  
51  
52  
53  
54

**7:45 p.m. – Final Vote on Ordinance 2012-005 to Repeal Milford Municipal Code 5.12 - Fireworks.** The pub-  
55 lic hearing was opened at 7:45 p.m. Chairman Daniels asked for people in the audience who would like to speak.  
56 Richard Wood, Falconer Avenue, recently heard of this repeal effort. Mr. Wood has been involved with fireworks  
57 and the fire service for about 25 years so he does have an interest in public safety. Under the guise of repealing this  
58

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1 ordinance for public freedom, he feels is missing the boat, and not only do we have a right to freedom but the gov-  
2 ernment also has a constitutional obligation to protect our citizens and their property. Mr. Wood disagrees with this  
3 repeal, citing many different reasons, primarily that it seems it was just brought up two weeks ago and is getting  
4 rushed through the system, maybe there could be amendments made, but he does not think repealing it is the answer.  
5 As the elected body, this Board has an obligation to rectify the infringement on another person's property. Mr.  
6 Wood suggested this be thought through. There are a lot of people who want to enjoy fireworks but there are also  
7 people who want to enjoy their own property without getting litter or having noise in the middle of the night.  
8 Chairman Daniels thanked Mr. Wood and indicated the Board has been talking about this for six weeks. Regarding  
9 the trash, Chairman Daniels stated we have laws on littering. Mr. Wood responded that we do but with fireworks,  
10 what happens is the littering is everywhere, in the yard, on public property, on the roof and in the stormwater drains  
11 – yes we have littering laws which is discarding something purposefully but how to enforce a littering statute be-  
12 cause you have to prove someone knowingly did something, it's going to create some issues. Chairman Daniels  
13 asked if there is a similarity with matches that can burn people, cause fires, etc. but we do not ban the use of match-  
14 es.  
15

16 Vice Chairman Finan indicated he will oppose repealing the fireworks ban, the biggest reason being public safety.  
17 There are other ways to address most of the other issues but not public safety. Vice Chairman Finan feels that fire-  
18 works are a step above other means of protecting public citizens, they explode; they are designed to be held in your  
19 hand until the very last minute, therefore it is a different category and we do have an obligation to protect the citi-  
20 zens. Fire safety is an issue, we issue fire permits and if there is a dry period we are able to regulate that, but we  
21 couldn't do that with fireworks so it becomes a fire safety issue. Selectman Bauer agrees with Vice Chairman Finan  
22 and thinks the degree of danger in fireworks is what sets it apart from other things we have talked about, even  
23 matches. In reading information provided by Captain Smedick, Selectman Bauer has learned that many of the fire-  
24 works coming into this country malfunction and can't be controlled. There is way too much danger involved. Se-  
25 lectman Bauer goes for the public safety. Selectman Bauer believes the prohibition of fireworks in Milford acts as a  
26 deterrent. Selectman Fougere has given this a lot of thought and will vote in favor of it. The State allows fireworks,  
27 allows citizens to buy fireworks, they are used all the time in the community and if parents feel they are not safe,  
28 they have the option to not buy them. They can tell that to their children and make that decision on their own. Most  
29 of the communities in the state allow them and Selectman Fougere thinks we should be able to. Selectman Bauer  
30 rebutted Selectman Fougere's statements, indicating her concern is more with a malfunction that damages someone  
31 else's property or injures someone else's child, that is where public safety comes in. Chairman Daniels commented  
32 that we can't prohibit every dangerous situation.  
33

34 Selectman Putnam moved to repeal the ordinance. Selectman Fougere seconded. Guy Scaife indicated he supports  
35 the position of the Fire Chief and Police Chief that this is not a benefit to the community. Guy Scaife does believe  
36 that this ordinance is a major deterrent and we will see a major reversal because the dad's in town can't say to their  
37 kids anymore "it's not allowed in this town". If this passes, we will deal with it but I think there will be a significant  
38 uptick, I think we are increasing risk and we will have to provide those services as Mr. Wood mentioned earlier.  
39 Chairman Daniels suggested if the noise ordinance does not work, that should be repealed as well. Guy Scaife indi-  
40 cated there is no town ordinance on noise, that is a state statute. Chairman Daniels indicated last year there was a  
41 noise situation that was dealt with. Guy Scaife indicated that was utilizing the state statute, there is no local noise  
42 ordinance. Selectman Putnam, Selectman Fougere and Chairman Daniels were in favor with Vice Chairman Finan  
43 and Selectman Bauer opposed. Motion passed 3/2.  
44

45 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Scott Cornett, 384 Nashua Street, is a  
46 construction management firm representative out of Hudson NH, Northpoint Construction Management, is here to-  
47 night to inquire into the process through which a contractor is selected for a project using public funds, specifically  
48 the ambulance facility. They had contacted Eric Schelberg in March after the vote to express an interest. In May a  
49 qualification package was provided and he was informed that they were not selected and he believes the selection  
50 process was complete before they even provided the qualification package. Mr. Cornett asked if there was a public  
51 notice and what is the process as to how contractors are selected. Chairman Daniels asked Selectman Fougere to  
52 address the question.  
53

54 Selectman Fougere indicated he is the Chairman of that Committee. Selectman Fougere spoke with Eric Schelberg  
55 today about Mr. Cornett's call and Eric remembers your call, unfortunately he did not write that down and it got lost  
56 in the shuffle. After the vote there were a lot of things going on. When the committee met, a lot of the members of  
57 the committee are in the building trade and have a lot of experience including the architect on the committee. Based  
58 on that experience, a list of the eight firms were sent invitations to, six of whom responded and three are being inter-

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1 viewed. Selectman Fougere understands Mr. Cornett called right after the vote, a number of firms called right after  
2 the vote, a number of firms submitted information about their company within two weeks of the vote, unfortunately  
3 by the time Mr. Cornett sent out any information to the committee, the decision had already been made. Timing is  
4 very, very important for us to get going; we are attempting to start construction before winter arrives, so we are  
5 moving right along and we felt that we had eight firms that were well qualified that various people on the committee  
6 have worked with the in the past and that's the process that we went through.  
7

8 Mr. Cornett understands all of that, and acknowledged that he told Eric he was delinquent in providing a package so  
9 he understands that, he said he is not looking to make waves or get on the list, nor trying to join a team that doesn't  
10 want them and he knows it's not directed at us, I know you have a process, the only question he has from a town  
11 tax-paying perspective is, isn't there a public notice process, in other words, you might have qualified eight but  
12 couldn't there be 50? If 50 wanted to participate in the process, because again, public funds are involved. Select-  
13 man Fougere indicated the policy is that we need to get at least three quotes. Guy Scaife indicated there is a policy  
14 approved by the Board several years ago with the last update in 2007. It does not require notice as such, but it has  
15 different requirements based on the amount, all of which require three bids. In this instance there was a balance  
16 with eight vendors that members of the committee had personal knowledge of, that certainly there was a preference  
17 to have some knowledge of and secondly, an extremely tight window to get this construction started this fall as op-  
18 posed to next year when we know the economy is gradually improving and there would be more competition and  
19 more than likely materials will be even higher. So that balance pushed them to make a decision in order to meet a  
20 timeline. It was not a policy violation. Mr. Cornett said he respects that and supports the project, it is just disheart-  
21 ening as a resident to be excluded perhaps because we didn't know anybody on the committee and that might be  
22 taken into consideration in the future. Guy Scaife acknowledged that those are good points.  
23

24 Richard Wood, Falconer Ave., was unaware of this topic prior to sitting here, but he does have a comment he'd like  
25 to share. To say that eight folks on a committee had a relationship with somebody previously almost begs the ques-  
26 tion "what type of relationship?" And to not public notice a process for \$2.5 million is concerning, it's an awful lot  
27 of money; Mr. Wood understands the timeline, we've been working on the ambulance facility for years, it isn't a  
28 surprise, we very easily could have had a public notice ready. Mr. Wood didn't know who was awarded the project  
29 or who was in the running for the project but it does beg the question from a perception issue of who knows who.  
30 That's concerning as somebody who's lived here for the last fifteen years. As you look at your policies, Mr. Wood  
31 would encourage the Board to look at that. We're spending this kind of money, just because we voted on one day  
32 and we want to get the project rolling isn't an excuse to forego trying to make sure the town gets the best deal. Guy  
33 Scaife commented that he understands the points made, clarifying that he is not on that committee, and was not in-  
34 volved, what he meant by knowing the eight firms, was that the committee members had knowledge of their indus-  
35 try reputation and had been involved with projects that were deemed very successful. The other point made by Guy  
36 Scaife was that this selection was for the architect only which was about \$100,000 not the full \$2.5 million building,  
37 so it is wasn't the \$2.5 million contract, but the points made are still valid.  
38

39 Mr. Cornett asked if it was only for the architect? Selectman Fougere stated it was for the construction manage-  
40 ment, there are a number of people in the industry on the committee, who are familiar with these groups. There is a  
41 lot of pressure on pricing right now, and if it were delayed until spring there could be cost impacts which put pres-  
42 sure on the project, which is why we are moving very quickly, but he appreciates the comments, and agrees the firm  
43 should have been on the list to begin with. Selectman Fougere wishes the information packet had been received a  
44 little bit sooner. Mr. Cornett thinks with multiple millions of dollars, that there should be an opportunity for any  
45 qualified organization, not just to those that made it on the list. Selectman Bauer noted that she thought the bid pro-  
46 cess for this would be open to anyone the way these two gentlemen have expressed and she hopes that if in this situ-  
47 ation again, that the bidding process would be open to anyone who's qualified to bid. Selectman Fougere suggested  
48 the policy be changed. Selectman Bauer agreed. Selectman Fougere suggested it should be crystal clear; but it  
49 would have delayed the project a month. Selectman Bauer indicated the Board should at least review the policy.  
50 Chairman Daniels thinks it would be a good idea to look at the policy decision in 2007 to see what it was about at  
51 that time.  
52

### 53 4. DECISIONS

54  
55 a) **CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the  
56 Consent Calendar. No items were removed for discussion. Selectman Putnam moved to accept the Consent  
57 Calendar as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0.  
58

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 06/25/12

- 1 (1) **Request to Approve Issuance of Timber Yield Tax Levy & Warrant.** A Timber Tax Levy &  
2 Warrant was presented and approved for Jeffrey and Jodi D'Amico in the amount of \$441.36.  
3
- 4 (2) **Request for Town Staff Support of Community Event – Lunchtime Concerts on the Oval.**  
5 Milford Improvement Team (MIT) Executive Director Tracy Hutchins requested use of the Oval  
6 and DPW assistance for the Summer Lunchtime Concert Series on July 12, 19, 26 and August 2,  
7 2012. This request was approved.  
8

9 **b) OTHER DECISIONS.**

- 10 (1) **Appointment of Police Captain Chris Nervik as Acting Police Chief.** Upon Guy Scaife's  
11 update on the Police Chief search, agenda item 5(a), Chairman Daniels indicated the Board  
12 has before it the appointment of Police Captain Chris Nervik as the acting police chief. Se-  
13 lectman Putnam moved to appoint Captain Chris Nervik as the acting Police Chief. Select-  
14 man Bauer seconded. All were in favor. Motion passed 5/0.
- 15 (2) **Request to Amend Board of Selectman Policy – Ethics.** Chairman Daniels explained that  
16 after LGC notified the town that the Ethics Committee could not be utilized by other board  
17 and committees, Chairman Daniels reviewed the policy and changed the dates as well as re-  
18 moved the Town Moderator from the text, otherwise, it will remain as is. Selectman Putnam  
19 moved to accept the amended Ethics Policy as presented. Selectman Fougere seconded. All  
20 were in favor. Motion passed 5/0.  
21

22 **5. TOWN ADMINISTRATOR REPORT:**

- 23
- 24 a) **Police Chief Search Update.** Guy Scaife indicated that a conditional offer has been made to a gentleman  
25 that lives out of the state for the position of Police Chief and he has accepted. It is conditional until the  
26 background check is complete which is anticipated to take one more week. It was a very thorough inter-  
27 view process with the Town Administrator, Human Resources Director as well as the Board of Selectman.  
28 It is hoped this candidate will be on board August 1 or August 6. In the interim, since Chief Douglas' last  
29 day is this Friday, June 30, the Board needs to appoint an acting chief, for which Captain Chris Nervik has  
30 been recommended. There is a mandate that within ten days of the departure of a police chief that a new  
31 person be appointed.  
32
- 33 b) **Savage Road Culvert.** Guy Scaife explained this is often referred to as a bridge but it is a set of culverts  
34 when heading westbound on Savage Road towards McGettigan Road. Those culverts are failing. These  
35 culverts were installed in 1989 and are failing before it was expected. The rust cannot be seen on the inter-  
36 rior of the culvert, but they were inspected by an engineer who indicated they are extreme and the road was  
37 weight listed for 6 tons which was done the following day. Residential traffic should not be affected, but  
38 commercial traffic will be affected, there is no schedule to close the road. Guy Scaife spoke with the engi-  
39 neer today and this type of failure is being seen around the state. The peak flow is relatively low and no-  
40 where near the flow in the Jennison Road culvert. The repair could be done in-house without funding assis-  
41 tance. The recommendation was to get an engineer to do the analysis on the stream crossing and the sizing  
42 as soon as possible. Guy Scaife hopes that the engineering can be done this year with anticipation of re-  
43 placing it early next year. It was recommended that the town check frequently, especially if there is a sig-  
44 nificant rain event to inspect. The engineer did not feel this was a good job to use a slip liner. Chairman  
45 Daniels asked if culverts are made in PVC? Guy Scaife did not know, he always hears about concrete  
46 based culverts.  
47
- 48 c) **Information Presentation and Public Hearing – Fletcher Site Groundwater (OU2).** To make the  
49 Board aware that there are some public meetings scheduled for August, the dates are not finalized yet, but  
50 EPA will be here to meet with the public tentatively to discuss the clean up of Operational Unit 2 (OU2)  
51 which is the PCBs in the riverbed adjacent to the Fletcher site. The first meeting will be to explain what  
52 the issues are, that there are PCBs in the riverbed and the dangers it imposes but will be information only.  
53 A couple of weeks after that, they will return to have a public hearing when the public can ask questions.  
54 Chairman Daniels asked if they know the extent of the PCBs? Guy Scaife is sure the specifics will be ad-  
55 dressed at the meetings in August.  
56
- 57 d) **Miscellaneous.** Guy Scaife spoke with Executive Councilor Dave Wheeler who indicated that there is  
58 funding in the preliminary state budget for a Circuit Court in Milford in the facility in the west end of town;

1 this is a good first step, but remember that things can change. The closing for the 66 Elm Street property  
2 for the future Ambulance Facility has been set for July 12 at 1:30. The adjacent landowner letter was re-  
3 ceived today that they are accepting the terms of the easement agreement that was submitted. Chairman  
4 Daniels indicated on that closing, there is a signature required and if the Board does not object, Guy Scaife  
5 could be that agent with the Board approval. Guy Scaife indicated that would be to sign on the Board of  
6 Selectman behalf at the closing. Selectman Putnam moved to authorize Guy Scaife to sign at the closing of  
7 the 66 Elm Street property. Selectman Fougere seconded. All were in favor. Motion passed 5/0.  
8

9 **6. DISCUSSIONS.**

10 **a) Adherence to Right-to-Know Law.** Chairman Daniels brought this to the Board so that all will be aware  
11 of regulations regarding board and committee minutes of meetings or going into non-public. Chairman Daniels  
12 asked that all Board members please make sure that the committees or boards on which they are the Board repre-  
13 sentative provide minutes of meetings and that they get turned in to get them posted on line. If there are any non-  
14 public sessions, they must follow the law as specified, specifically why non-public is being entered. After non-  
15 public is complete, it is always appropriate to state if any votes were taken, although it does not require what the  
16 vote was to be announced. If a subcommittee or board has a meeting and enters non-public session, Chairman Dan-  
17 iels asked LGC if this Board has a right to know what was discussed in that non-public session and the answer was  
18 that because those committees are advisory to the Board of Selectman, they do have a right to know what was dis-  
19 cussed in the non-public sessions, therefore it would be appropriate for that board representative to bring that infor-  
20 mation to the Board of Selectman in non-public session. Selectman Bauer asked if there has been a problem with  
21 other boards or committees calling non-public sessions? Chairman Daniels knows of one instance where a commit-  
22 tee went into non-public with less than a quorum. When you don't have a quorum of a committee, you are not sup-  
23 posed to be voting on anything and when they went into non-public it wasn't stated what the reason was. Vice  
24 Chairman Finan said if there wasn't a quorum, it wasn't a meeting anyway, so nothing else applies. Chairman Dan-  
25 iels said you can meet, but you cannot vote. Vice Chairman Finan said if there is not a quorum, it is no different  
26 than hanging out on the street corner, it's just a conversation. Chairman Daniels said the point is you really can't go  
27 into nonpublic if you don't have a quorum because you don't have enough to vote, but Chairman Daniels wouldn't  
28 say that the problem is wide spread but he has received some feedback and there were some concerns on the legality  
29 of it. Selectman Bauer asked if the Board members on different committees need to be responsible to remind peo-  
30 ple? Is that the best way for the people to be informed? Chairman Daniels said he will be putting out a letter to all  
31 the committees and he is asking other Board members on committees to make sure that these things are done. Se-  
32 lectman Bauer said she is happy to back up a memo from Chairman Daniels.  
33

34 **b) Downtown/Oval Special Events.** Chairman Daniels indicated that some people want to talk about a rally  
35 that was recently held on the oval. Selectman Putnam had no problem with it and does not want to see a new policy  
36 created as a knee-jerk reaction to an isolated situation which was a presidential candidate, these things happen from  
37 time to time. Selectman Fougere's concern is to encumber the oval for a significant amount of time and there  
38 seemed to have been a lack of communication with staff and merchants on the oval and the challenges they have,  
39 hopefully in the future that won't happen. Selectman Fougere enjoys the candidates coming to our state and to Mil-  
40 ford and wants them to keep coming, he just wishes the communication was better. Vice Chairman Finan has no  
41 real issues. Selectman Bauer stated that she feels this event morphed from what we thought with the Advance  
42 Team, it seemed like the Advance Team notified the town and Police Chief that this would be a Friday afternoon  
43 event and we knew there would be some set up time and some breakdown time and it morphed into two complete  
44 days, all day Thursday and all day Friday, so Selectman Bauer thinks they were a little misleading. It is unfortunate  
45 that this Board couldn't meet and have it in our agenda like we have the oval luncheons. The town put extra police  
46 on because we got a warning from Stratham where Governor Romney started his campaign, that they had a couple  
47 of bus loads of protesters and we should be ready for possible problems with protesters, so we put on extra police  
48 details and I believe the Romney campaign said they would pay for that; DPW was involved with the flags, the oval  
49 businesses have said their businesses were pretty much killed especially on Friday. The Advance Team was setting  
50 up on Thursday and parking spaces were blocked off, then on Friday all the parking spaces on the oval were blocked  
51 off. The traffic was very heavy and Selectman Bauer gives credit to the police because they kept it moving. The  
52 oval is a public park, public space and it was off limits for any citizen that wanted to use it for two full days. Se-  
53 lectman Bauer thinks a different venue in Milford could have been used, such as Hampshire Hills, rather than the  
54 town allowing the oval to be used for that amount of time, it was too much inconvenience to the town. A lot of peo-  
55 ple have notified her and asked how much it cost the town and did the Board of Selectman know about it and if so,  
56 why did they allow it to go forward. Selectman Bauer said the Board of Selectman did not know about this or have  
57 a chance to discuss it as a Board before this event, which turned out to be a big deal.  
58

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 06/25/12

1 Guy Scaife understands some of the concerns, first of all the activity did grow, once we learned it was going to be  
2 bigger and we would need additional resources, the organizer agreed to pick up those expenses and we will be in-  
3 voicing for approximately \$1,000 for the extra police and extra ambulance that were brought in. It did turn out to be  
4 a big deal but we followed the operational process we have been using since long before Guy Scaife came to Mil-  
5 ford, it is a public space, whether it is a wedding or a political event, the person calls in to reserve the space so there  
6 are no conflicts. Thursday there was congestion but it did not prevent people from walking through. The Board has  
7 never been approached to approve regular activities on the oval, so we followed process as we always have, the fact  
8 that things changed and grew considerably larger than the original contact, there was certainly a security element,  
9 when the call first came in that Governor Romney may be coming to Milford, it was asked that it be hush-hush, in  
10 retrospect, maybe a heads up could have been given out sooner, but it was in the newspaper by the time it was final  
11 and it was no longer hush-hush. Businesses on the oval are going to have to roll with the punches, the good and the  
12 bad, there's a lot of public activity that brings people into the oval to spend money, whether it is something the town  
13 sponsors or not and those businesses benefit on some and others they may not benefit. This is once every four years,  
14 it's not something that happens every year. A few years back there were people that thought the town meeting  
15 should be moved from the town hall auditorium because people took up too many parking spaces and we said no, it  
16 is too important to the town to keep it here.

17  
18 Guy Scaife wishes there were better notice, but that's not the way it worked out. If we had to do it over, maybe we  
19 would have been more diligent asking harder questions or at least alerting them that if it changes, there are conse-  
20 quences, but Guy Scaife believes a lot of it grew in the last few days. Guy Scaife is very proud that the town was  
21 able to pull it off without any problems. Guy Scaife committed that if something like this comes up again, our office  
22 will do a better job of providing a heads up sooner, rather than later. Chairman Daniels agreed with Guy Scaife that  
23 things like this are kept hushed for security reasons until the last minute. When Chairman Daniels arrived in town,  
24 what he saw was the Milford police working very closely with the Secret Service to make this go off without a hitch.  
25 When Chairman Daniels found out that Milford was one of two towns Governor Romney would visit, Chairman  
26 Daniels remembered a Board goal of marketing Milford and he was more excited that there would be national cam-  
27 eras there and the possibility that they would use some of the video in his advertisements, which he has. So when  
28 there is an opportunity to market Milford, and video of the town is shown over national television, you can't buy  
29 that stuff. Chairman Daniels agrees with Guy Scaife that if there is a next time, there are questions we can ask to  
30 know to better position ourselves. There were rumors about the bus loads of protestors that would be coming that  
31 never materialized. Selectman Bauer said it wasn't just a rumor. Chairman Daniels said it never materialized.  
32 Chairman Daniels feels to get the press we did get in exchange for 21 parking spaces, he feels was a good deal.

33  
34 Jon Ricciardi is also concerned about this event, all night long he has been hearing public safety about fireworks,  
35 etc. but when we want to clog up the oval east, west, every direction, it goes out the window because we're promot-  
36 ing Milford, everyone in the oval was safe but what about everyone outside the oval, who was working outside the  
37 oval? Chairman Daniels compared that to a major accident that ties up the staff. Mr. Ricciardi responded that this  
38 wasn't an accident, this was an intended event, an accident is an accident. If the police are occupying the oval, do-  
39 ing their job that they wouldn't normally be doing on a Friday afternoon, who is protecting the outskirts of the oval  
40 area? Chairman Daniels responded that at any time, we have numerous police officers out on different details. Mr.  
41 Ricciardi asked where was the manpower? I'm trying to figure out who paid for this event, where it came from?

42  
43 Guy Scaife explained the town brought in additional personnel to add additional staffing, we did not deplete the  
44 town or the other resources whether for ambulance or fire or police. Mr. Ricciardi asked how that is done, cause the  
45 math doesn't add up. Guy Scaife continued that we brought in additional resources so that we could keep those that  
46 were assigned to those sectors out there. Primarily, the Chief and Captain were at the oval, other than the personnel  
47 brought on that were not on duty and were paid for by the organizer, we did not deplete the town of our public safe-  
48 ty. Mr. Ricciardi asked how the ambulance or fire could get out with all the traffic. Guy Scaife answered the same  
49 way other traffic did and the same way they do during Pumpkin Festival. Mr. Ricciardi asked if there was a safety  
50 issue if they had to get out of there, you think it would've went smooth? Mr. Ricciardi asked why it was in the mid-  
51 dle of the day, at 1:00? Guy Scaife said it is a public space. It's a promotion for Milford, I understand that, said Mr.  
52 Ricciardi. Guy Scaife said we do not regulate who can go down there. Mr. Ricciardi said you do regulate who can  
53 go down there, it's not completely public, alright, let's be honest, that's a fact, it is not completely a public place, I  
54 can't go park where they had their vans parked and all that stuff, I can't do it, it's not allowed, there's a sign there  
55 that says "for emergency personnel only" and we had politician's vans parked there. Why can't we park there on a  
56 normal day, if we can do it when a political campaign comes to town? If no one is worried about the safety issue,  
57 why not let everyone use those parking spots. Chairman Daniels asked if Mr. Ricciardi advocates shutting down the  
58 Pumpkin Festival? Mr. Ricciardi said he is not advocating that at all. Chairman Daniels indicated those same spac-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 06/25/12

1 es are used for that, in fact we shut down Middle Street. Mr. Ricciardi responded that was voted on by the citizens,  
2 this wasn't voted on by the citizens, there's a big difference. Chairman Daniels said if President Obama wanted to  
3 come to Milford, he would welcome him. Mr. Ricciardi interrupted, would you extend the olive branch to him? He  
4 asked Chairman Daniels to call him, please. Mr. Ricciardi stated he is just trying to figure out, cause not everyone  
5 can do what they want in the Milford oval, that is a fact, we could not go out there and have a 60's rock-n-roll con-  
6 cert on the oval, it wouldn't be allowed. Chairman Daniels said if you got permission you can. Mr. Ricciardi inter-  
7 rupted that a country western dance out on the oval, it wouldn't be allowed because it would disrupt other people's  
8 lives, just like this disrupted other people's lives, never mind the public safety, there's a bunch of issues that went on  
9 here, but we're here to promote Milford, and I can understand that too, I can respect that and I respect that the politi-  
10 cians want to come here, I really do, but at who's expense? Because when these people are doing these things, you  
11 can say you called someone up to fill in for the other person, well then you're lacking where the fill-ins are, so you  
12 understand? It goes one, two, three.

13  
14 Chairman Daniels said Mr. Ricciardi didn't listen to what the Town Administrator said. Mr. Ricciardi shouted yes I  
15 did cause there's no one filling in for those fill ins. Chairman Daniels said they were off duty. Vice Chairman  
16 Finan said they were home. So it's like overtime for them, said Mr. Ricciardi. Basically, Chairman Daniels ex-  
17 plained they came in and were paid overtime. They were paid, exactly, said Mr. Ricciardi, at what expense were  
18 they paid? Guy Scaife explained he has responded to Mr. Ricciardi in an e-mail earlier today and just said it again a  
19 few minutes ago, Mr. Ricciardi interrupted that was additional costs, he would like a breakdown of itemized costs of  
20 the entire event, what is the \$1,001 was additional costs, what were the original costs. Chairman Daniels suggested  
21 Mr. Ricciardi contact the Romney campaign for that. Selectman Putnam agreed. Mr. Ricciardi asked if they covered  
22 the entire thing? Selectman Putnam said yes, not a dime came out of the town. Mr. Ricciardi asked why that wasn't  
23 said to begin with. Chairman Daniels said it was. Mr. Ricciardi said no it wasn't. But that's the other thing, Mr.  
24 Ricciardi shouted, we are still missing the point on the safety issue. Selectman Putnam said the town had it all cov-  
25 ered John, trust us, we know what's going on here. Mr. Ricciardi asked if he could guarantee that? Selectman Put-  
26 nam said he can guarantee that. Mr. Ricciardi asked what he was gonna do, lay back in your chair? Selectman Put-  
27 nam indicated the Fire Chief had it covered, the Ambulance Service had it covered, and the Police Chief had it cov-  
28 ered. Then why don't we open up the oval for everyone asked Mr. Ricciardi, every event that wants to be in there  
29 should be able to. Selectman Putnam said we've been doing that for years! Mr. Ricciardi interrupted stating we  
30 haven't been doing that for years! Selectman Putnam said look at the pictures of Labor Day parades when the oval  
31 has been shut down for five hours. Mr. Ricciardi shouted that is for town-voted events, do you see the difference?  
32 Chairman Daniels asked for order. Mr. Ricciardi stated those are town-voted events being compared, this event  
33 wasn't town voted. Chairman Daniels has seen other events including karate demonstrations that were not voted on,  
34 they are not all town voted events. Mr. Ricciardi asked if they hire police and all that stuff? Chairman Daniels said  
35 if they expect a certain number of people, yes. Mr. Ricciardi stated that he guesses he is making waves, but why do  
36 you do things without public input, that is his question, what gave you all the right to just decide that they are gonna  
37 occupy the oval with who they want, when they want with no notification except reading it in the Nashua Telegraph.  
38 Chairman Daniels believes this Board was elected to make those decisions. Well, let's hope the people change their  
39 attitudes very soon, said Mr. Ricciardi.

40  
41 Selectman Bauer commented on some of the comments made by Guy Scaife and/or Mr. Ricciardi, noting that she  
42 was unaware of the event until the last minute so when people asked her about it, she had to fudge it. When a re-  
43 quest comes in from the Democratic party and/or any other party, how is the Board going to handle it? The same as  
44 this or different? Selectman Bauer does not like the way this was handled and she thinks the traffic was a big prob-  
45 lem. Vice Chairman Finan feels that perfectly reasonable measures were taken, it's a rare event, did it get out of  
46 hand, sure, but it gets out of hand when the dump gets backed up, that's life, it's a public place. Selectman Bauer  
47 asked if it bothers Vice Chairman Finan that the Board of Selectman had no knowledge of it whatsoever? Vice  
48 Chairman Finan said no. Selectman Bauer said it bothers her. Vice Chairman Finan said the Board had no input  
49 when Larouche was in front of the post office. Chairman Daniels said the Town Administrator kept the Board in-  
50 formed of the Romney event to the best of his ability. Selectman Bauer understands the confidentiality for security,  
51 the next time it happens, Selectman Bauer feels this Board needs to be forewarned so that when people on the street  
52 ask us about it we don't know anything about it. Selectman Bauer feels we can do better next time. Selectman Put-  
53 nam did mention that he went through the oval several times over those two days and he felt the traffic actually  
54 moved smoother than it does when the school is getting out or going in. Selectman Bauer said the police did a good  
55 job of moving the traffic, it was just coming in from all areas and it was moving slow but they did their best to keep  
56 it moving. If there is another request, Selectman Bauer asked if the Board wants to know? Vice Chairman Finan  
57 said if President Obama is coming, yes he wants to know, but what about other things? Selectman Bauer anything  
58 that we feel might be big, she would like notification in enough time that it can be on an agenda so it can be dis-

1 cussed as a board. Chairman Daniels is not sure that is always possible with campaigns of this magnitude. Select-  
2 man Fougere thinks the communication for this event could be improved and he thinks everyone agrees with that,  
3 but we are fortunate that someone wanted to come to Milford and he doesn't want to stop that. That is what Select-  
4 man Bauer would like to see, better communication.  
5

6 Selectman Putnam conveyed a question from a citizen regarding the paperwork requesting use of the oval and ap-  
7 proval of all departments, and if it was submitted two weeks prior to the event? Guy Scaife responded no. Select-  
8 man Putnam asked if that is part of the requirement? Guy Scaife does not believe so for that event.  
9

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

11  
12 **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman  
13 Bauer brought up the winter parking ban, which does not have to be discussed tonight, but she has begun looking  
14 into it and has talked with Guy but it can wait until another meeting since we are running late. Selectman Putnam  
15 suggested another meeting would be great. Chairman Daniels has started looking at the website and has come up  
16 with a number of things that will enhance it. Selectman Putnam said he is in the process of developing the vehicle  
17 take-home policy. Chairman Daniels thought that would be brought to the Board tonight. Selectman Putnam said  
18 no, but he does want to start looking into our building department and its issues, he got another complaint from an-  
19 other contractor when he just happened to be in the building doing some work on the air conditioning and he was  
20 talking to the building owner about some partitions that he's gonna throw up and Selectman Putnam just happened  
21 to overhear the conversation so he couldn't take it anywhere, but um, taking two weeks for um a permit to get, um to  
22 get a permit to install a couple of partitions to make a room a little smaller for some offices, that's all it is, it's not a  
23 huge project, but he's got to get this permit, and that permit, they wouldn't give him a permit until they gave him a  
24 set of plans, they wouldn't do this, 10-14 days to do get it approved, and yah-da-yah-da-ya and it's ridiculous. The  
25 guy wants to put up a couple of partitions, he's a contractor he should know the code, so we give him a permit, right  
26 there on the spot, there ya go, there's your permit and we go and inspect it, and if it's wrong, then he fixes it, that's  
27 the way it should operate. We don't need to sit here and go over his plans and go over this and go over this and  
28 make sure everything's being done right, things like that are what's driving like two building inspectors, like if we  
29 cut back on some of that stuff we might not need two building inspectors. In an economy that we're putting out five  
30 building permits a year (laughs) I just can't understand it, so I would like to somehow figure out who's gonna do  
31 what and go through and review that building department which is on our list of goal but I think we've gotta get  
32 moving on it.  
33

34 Chairman Daniels said he had that down for third quarter maybe; actually second quarter. There are different parts  
35 of it, some of it to be completed in the second quarter and the other part in the third quarter. The process should be  
36 on line for somebody to follow if they wanted to, or is it just the permits that are on there that they can print off?  
37 Guy Scaife said the process is on there and tells the form but it depends on which permit is being talked about.  
38 Chairman Daniels feels as he goes through the website he will get to that. In defense of the town's two code en-  
39 forcement officers, Selectman Bauer stated, Selectman Putnam said no defense is needed. Selectman Bauer said she  
40 wanted to make a statement because she disagrees with what Selectman Putnam said about the two code enforcers,  
41 one is residential and one is commercial and knowing that department pretty well and dealing with them a lot she  
42 can verify that they are pretty much maxed out and Selectman Putnam's comment that implies we don't need two,  
43 she thinks, is wrong. Secondly, it seems to Selectman Bauer, and Guy Scaife can correct her if she is wrong, that  
44 they are working with the national building code, Selectman Putnam interrupted that is why he wants a review, peri-  
45 od. You don't have to expound on it, I think we should review it to get to the bottom of it, period, end of discussion.  
46 Selectman Bauer stated oh yeah, you've had your say and nobody else can. Chairman Daniels said Selectman Bauer  
47 has the floor. Selectman Bauer thanked Chairman Daniels and stated in talking with the code enforcement officers,  
48 and this came up with the ambulance - what code do we use? We use a national code, I forget the official name for  
49 it, but it seems to me that whatever you're talking about, I'm not saying it's right, but that has to be referred to for  
50 most projects, so if they have to follow that, and I'm not sure they do for the case that you said a couple of partitions  
51 were being installed, if it applies, but many of the projects do, and that is where a lot of the rules and regulations  
52 come from, they are not town of Milford rules and regulations. Selectman Fougere added that there is a lot of grey  
53 in that code and a lot of flexibility in that code.  
54

55 **b) OTHER ITEMS (that are not on the agenda).**

56  
57 **c) 2012-2013 Board of Selectman Goals and Tasks.** Chairman Daniels reviewed the Board goals and tasks,  
58 there no updates this evening.

**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 06/25/12**

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**8. APPROVAL OF FINAL MINUTES – June 11, 2012.** Selectman Putnam moved to approve the minutes of June 11, 2012 as amended. Selectman Fougere seconded. All were in favor. Motion passed 5/0.

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

**10. NOTICES.** Notices were read by Chairman Daniels.

**11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into Non-public session at 9:40 p.m. in accordance with RSA 91-A:3 II (a) (b) (c) and (e) and to unseal and approve non-public minutes of April 9, 2012 and approve the non-public minutes of June 11, 2012. Selectman Fougere seconded. All were in favor. Motion passed 5/0.

Selectman Putnam moved to approve the non-public minutes of June 11, 2012. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0.

Selectman Putnam moved to unseal the non-public minute of April 9, 2012. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0.

Selectman Putnam moved to amend the non-public minutes of April 9, 2012 to change Vice Chair Fougere to Vice Chairman Finan. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0.

Selectman Putnam moved to seal the minutes of June 11, 2012 and April 9, 2012. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0.

Selectman Putnam moved to come out of non-public session at 10:00 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

After adjournment of the non-public session at 10:00 p.m., Chairman Daniels announced that in the non-public session the Board approved the non-public minutes of June 11, 2012 and amended the non-public minutes of April 9, 2012.

**12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 10:00 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

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Gary L. Daniels, Chairman

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Tim Finan, Vice Chairman

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Katherine Bauer, Member

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Mike Putnam, Member

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Mark Fougere, Member