

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
July 23, 2012

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

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

INSTRUCTIONS: Chairman Daniels called the meeting to order at 5:30 p.m. Chairman Daniels introduced Board members and then 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. – Request for Input on Milford’s Community Needs. State Senate District 11 Candidate Dan Dwyer introduced himself as a candidate from Merrimack, which is in the same district as Milford, Wilton and Amherst. The districting has changed and he plans to get on the agenda for each town Board of Selectman to listen to what the needs of each town are. Mr. Dwyer thinks it is important to meet all the representatives and plans to come to one meeting per month if elected. Mr. Dwyer said he takes this position very seriously and is making the commitment to attend one meeting per month to keep the towns in the district informed. Mr. Dwyer wants to hear from the Milford Board in order to tell other Senators, when and if he gets elected, what is important to Milford. Selectman Bauer said she will e-mail Mr. Dwyer with her concerns.

Mr. Dwyer stated that he is a conservative Republican and wants no new taxes, but that comes with a price and that is the property tax. The Property Tax is the biggest thing the communities face, we all share that burden of Property taxes and that is a challenge. Chairman Daniels said he wants a Senator to show up to do the job. Mr. Dwyer indicated he is a small business owner which is a plus since he does not have that commitment to take up his time; he enjoys the Town Council in Merrimack and he finds that at that level you really make a difference. Putting the time in is not a problem. The Senate is a day job and the Town Council is a night job and he would want to continue to do both. Guy Scaife asked Mr. Dwyer if he sees the property tax as a fair tax. Mr. Dwyer said in New Hampshire yes, because we do not have a sales or income tax, the property tax is the meat and potatoes tax in this state. If a community passes an ordinance, how can Concord say no? We are all adults but if it is revenue for the communities, he falls back on local control, how can Concord say no? The power is within the communities. Mr. Dwyer added that property taxes are enhanced with the Tobacco and Alcohol taxes, but there are more efficiencies we could be doing. The State should be able to get by with property taxes. Chairman Daniels indicated one of the goals this Board of Selectman is working on is identifying things that are obstacles to the Board in accomplishing its goals; those obstacles will be identified to the Senator. Selectman Bauer asked about the downshifting of State costs to the towns, being on the Merrimack town council, so you understand how we feel. Mr. Dwyer said he understands the downshifting and that is important. Selectman Putnam obtained Mr. Dwyer’s e-mail address. Chairman Daniels thanked Mr. Dwyer for coming in.

5:35 p.m. – Request to Amend (2) Land Use Change Tax Statutes. Marti Noel presented the changes recommended for two Land Use Change Tax properties, since there is construction, so they should be taken out of current use. The Legislation has changed. Selectman Fougere asked what the value of the road is. Ms. Noel said it is valued at \$55,000. Selectman Bauer asked if the second property has the same value. Ms. Noel said it does. Chairman Daniels asked if the property owner notified the Assessor of the change or if we discovered the change. Ms. Noel said the owner was notified through building permits, it is something that she saw but the builder did not call directly, she has been in communication with the owner. Chairman Daniels said there was a question in the LGC questionnaire about a penalty for a property owner that does not notify the town of property being taken out of current use. Should the owner come to the town to take it out? Ms. Noel responded that normally it goes through a building permit and the cyclical review of the property. A penalty is difficult because there are many land owners that are several generations removed from the actual transfer and the land has been in current use since before they

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1 were involved. Selectman Fougere asked if a building permit is given to Assessing. Ms. Noel said that Assessing
2 does get a copy of the building permit and we check on the CO's through Munis.
3

4 Selectman Bauer noted the owner is not always aware the land is in current use, but what if they take more land out
5 of current use, do they notify Assessing? Ms. Noel said it sometimes occurs over an extended period of time, indi-
6 cating it can be difficult if it goes outside of the envelope slowly. Selectman Bauer asked if it is okay to learn of it
7 through the permit process. Ms. Noel indicated the ideal way would be for the owner to notify Assessing, if they do
8 not notify us, "discovery" can be used. Selectman Putnam asked if the system is working. Ms. Noel said with GIS
9 it helps, but without that, it still works. Guy Scaife noted it puts the burden on the Assessor to find what has not
10 been reported. Ms. Noel has talked with the property owners that have property in current use and has explained the
11 process. Ms. Noel reviews all building permits so the land taken out of current use would be caught before a year
12 passes. Chairman Daniels asked if land is put into current use, is there a letter sent that explains the process. Ms.
13 Noel responded when land is put into current use, yes but there is not a process for property that has been transferred
14 to a new owner. Selectman Putnam moved to amend the two land use change tax statuses as presented. Vice
15 Chairman Finan seconded. All were in favor. Motion passed 5/0.
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17 **5:40 p.m. – Departmental Update - Assessing.** Marti Noel, Town Assessor, indicated that the 2011 Record Cards
18 used to be on line, but they are no longer on line; they are trying to get them back up; it is a temporary situation.
19 The Elderly Exemptions had 79 applications, 73 were approved. Overall the town is within the expected numbers
20 that Milford has experienced over the last several years. In March the voters increased the income limitations for
21 Elderly Exemptions, as a result there were only five new qualified applicants. There were four new blind exemp-
22 tion applications bringing the total to ten. There were 186 abatement applications, of which 55 were approved, total-
23 ing \$79,258. Assessing is currently focusing on vacant land and they want to make sure all utilities are treated fair-
24 ly. There have been 65 qualified sales in 2012 which is in line with last year at this time but still experiencing de-
25 cline. The department is not looking at any major changes in the coming year.
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27 **5:50 p.m. – Final Vote on Ordinance 2012-006 to Amend Milford Municipal Code 5.20 – Recycling/Solid**
28 **Waste.** Selectman Putnam moved to approve the Milford Municipal Code 5.20 – Recycling / Solid Waste. Select-
29 man Bauer seconded. Chairman Daniels went through some of the ordinance that was changed since the last public
30 hearing such as the numbering system. As Chairman Daniels went through other codes, he found multiple incon-
31 sistencies but he found that most of the other codes utilized the a, b, c format rather than the numbering system pro-
32 posed for this code so the format has been changed to the a, b, c format to maintain consistency. All of the changes
33 that were discussed at the last public hearing were made, the only issue was about labels being removed or not re-
34 moved from tin cans. Guy Scaife spoke with NRRA and they had not specified whether the labels should be re-
35 moved. In the end, Chairman Daniels spoke with Tammy at the Transfer Station and it was decided to have the la-
36 bels removed in case tin ever gets combined with bulk metal. Chairman Daniels stated that people are in the habit of
37 removing the labels, so it was kept that way. All were in favor of the motion. Motion passed 5/0.
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39 **6:10 p.m. – Request for Approval of Charge to Community Facilities Committee – Wadleigh Memorial Li-**
40 **brary Expansion.** Mary Burdett and Chris Costantino, Library Trustees, and Michele Sampson, Library Director
41 were in attendance for this discussion. Mary Burdett explained that for the past three years, the Library Trustees
42 have been working on the future library expansion and the Trustees would like to have the Community Facilities
43 Committee take a look at what has been done so far. Chairman Daniels asked if the CFC would be used for one
44 year, was that the agreement? Selectman Fougere remembers that the CFC would be used starting in the fall but he
45 does not remember a time limit. He does not have a problem with starting earlier than the fall; it is a big enough
46 project and he does not feel the committee will have a problem taking it on earlier. Selectman Putnam asked if the
47 whole CFC is working on the ambulance facility building committee. Selectman Fougere answered that is just him,
48 the others are not. Chairman Daniels asked if the CFC is being released to the Library expansion for the next four
49 years. Selectman Fougere responded this is the next big facility change, and then it is the Fire Station. Chairman
50 Daniels just wants to make sure the Board understands that if the CFC resources are released to the Library, they
51 will then not be available for other facility projects. Vice Chairman Finan thought the charge for the Library expan-
52 sion was waiting until the fall because of Selectman Fougere's time commitment. Selectman Fougere said he has no
53 problem with starting the Library expansion earlier than expected.
54

55 Chairman Daniels asked if the CFC will actually be involved in the fundraising. Ms. Costantino responded that the
56 Trustees are just looking for ideas for fundraising from the CFC, but not looking to have them run the fundraisers.
57 Selectman Bauer suggested one reason the ambulance passed was because the CFC worked really hard and worked
58 right up to the vote so if the Library Trustees and CFC work together, that would be great. Selectman Putnam

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1 moved to approve charging the Community Facilities Committee (CFC) with the Wadleigh Memorial Library Ex-
2 pansion project. Selectman Fougere seconded. All were in favor. Motion passed 5/0.

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4 The charge will be given to the CFC and Selectman Fougere believes that effort will actually begin in September
5 once all members have been notified; he will contact the CFC in order to reconvene as members are taking a short
6 rest from activities. Merv Newton is the Chairman and is now back from vacation. Selectman Fougere is the Vice
7 Chairman. Selectman Bauer suggested having a Library Trustee at each of the meetings to provide answers to any
8 questions that may come up. Bill Parker recently sent out an e-mail to the CFC about the upcoming Library project
9 being on tonight's agenda and also looking for additional people who might be interested. The CFC has dwindled a
10 little bit and a larger committee may help to sell the Library expansion.

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12 **6:30 p.m. – Public Hearing for Acceptance of Unanticipated Funds Over \$5,000 and Gifts Over \$5,000 Per**
13 **NH RSA 31:95 (b & e).** Chairman Daniels opened the public hearing at 6:30 p.m. for the reading and acceptance of
14 unanticipated funds over \$5,000 and gifts over \$5,000 per NH RSA 31:95 (b & e) as follows:

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16 The acceptance for expenditure of unanticipated funds under RSA 31:95-b for the following:

Source	Amount	Purpose
Kaley Foundation	\$12,000.00	Milford Fire Department purchase of a new thermal imaging camera; Fire Thermal Cameras Special Purpose Fund
Suzanne L. Roy Estate	\$10,000.00	Charitable Bequest from the Estate of Suzanne L. Roy to be used for the purchasing, training and supporting of a new K-9 dog for the Milford Police Department
USTA National	\$ 750.00	Adding 36' and 60' blended lines on four tennis courts. This grant consists of \$500 from USTA National, \$250 from USTA New England, with a \$250 match from Recreation Revolving Fund (USTA 10 and Under Line-2012 Grant)
James & Deena Spanos	\$ 35.00	General donation to the Milford Fire Department who wishes to designate the donation to the Fire-Rescue Donations Special Purpose Fund

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32 The acceptance of gifts of property under RSA 31:95-e for the following:

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34 Two (2) HP servers with a total approximate value of \$3,000. These items were part of a
35 computer raffle sponsored by the New England State Police Information Network. They
36 will be used at the Milford Police Department.

37
38 Donation of three replacement 25 foot elm trees for the Milford Oval. These were
39 donated by Bob Kokko. The Milford Improvement Team assisted in the planting of the
40 trees. This has a donated value of approximately \$1,552.46.

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42 There were no public comments. Selectman Fougere thanked the sponsors and Bob Kokko who has been a big
43 sponsor of the Milford Oval and Chappell Tractor who assisted in the planting of the trees, which look great. Se-
44 lectman Fougere also noted that the CFC will want to plant an Elm tree in front of the new Ambulance Facility.
45 Selectman Fougere moved to accept the listing of unanticipated funds and gifts over \$5,000 as listed. Selectman
46 Bauer seconded. All were in favor. Motion passed 5/0. Selectman Bauer mentioned that the Milford Improvements
47 Team (MIT) was involved in the tree planting as well.

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49 **6:35 p.m. – Presentation of PEG Access Channel Policies and Procedures.** Mike McInerney, Community Media
50 Director, and the Granite Town Media Committee representatives Joe Kasper and Tom Schmidt submitted a draft
51 Granite Town Media Policies and Procedures manual for Board review. This was developed through the review of
52 several different community manuals. Currently the policies and procedures manual addresses the two channels that
53 are live and active (Government and Education) and the bulletin board. The Committee wants to get the manual in
54 place to move forward and to get feedback. Mr. McInerney asked for comments or concerns. Chairman Daniels
55 said he thinks it is very good and quite comprehensive. Chairman Daniels asked about the Public channel and if that
56 is still being worked on. Mr. McInerney said it is still in process; this policies and procedures manual addresses the
57 channels that are already on line; the committee felt just working with the two channels we have made sense and
58 then move forward to try to get to the public channel on line. There is currently no Public channel, but it is on the

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1 horizon. Chairman Daniels understands the magnitude of having a Public channel and the liability and knows it is
2 necessary to proceed very carefully. Mr. McInerney has been requested by Rosie Deloge of the Milford High
3 School Technology Center to present this manual to the School Board as well to be sure the school's needs are ad-
4 dressed. The plan is to get feedback tonight, then obtain School Board feedback and submit the draft again for ap-
5 proval by the Board of Selectman. Chairman Daniels said he is very happy with this draft; he has been approached
6 by people who watch the meetings and it is encouraging to hear that. Chairman Daniels commended everyone for
7 doing a great job. Chairman Daniels asked what the target date is to get the Public channel up. Joe Kasper (GTM
8 committee) responded the committee is just trying to get the manual approved first, no date is set. Mr. McInerney
9 said Channel 22 (Public channel) has been designated by Comcast, in order to get the channel running, we need new
10 equipment. August 7 that equipment will be installed. Public programming is another issue that will be taken care
11 of in the future. Right now, the committee is just looking for feedback and the manual will come back to be ap-
12 proved at a later date.

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14 **6:50 p.m. – Non-Public Session - Personnel.** Selectman Putnam moved to enter into non-public session at 6:52
15 p.m. for a Personnel discussion. Selectman Fougere seconded. All were in favor. Motion passed 5/0. After discus-
16 sion, Chairman Daniels announced that in non-public no votes were taken and no decisions were made. Vice
17 Chairman Finan moved to seal the minutes of this non-public session. Selectman Bauer seconded. All were in fa-
18 vor. Motion passed 5/0. Selectman Putnam moved to come out of non-public session at 8:00 p.m. Selectman
19 Fougere seconded. All were in favor. Motion passed 5/0.

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21 **7:20 p.m. – Discussion on Building Permitting / Inspection Process.** Chairman Daniels asked that Bill Parker,
22 Bill McKinney and Dana MacAllister join the Board for this discussion regarding the building permitting and in-
23 spection process. Chairman Daniels would like to know more about the building process so that he can refer people
24 to the proper code if it is on line. The Board should be familiar with the process and can help educate the public
25 about what needs to be done. Chairman Daniels also would like to review the permitting process to be sure it is as
26 expeditious as possible. Feedback on the process is important as is identifying anything that might bog the system
27 down or could be changed to make it smoother.

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29 On the website, Chairman Daniels said there are five different links to different building codes. Bill McKinney ex-
30 plained the International Code Council (ICC) has codes that all cross reference each other. There are other codes
31 that are not recognized in this state or that have not been adopted by this state. The codes mesh very well; there
32 have been issues with other towns using different codes. International codes were out there and they have been
33 meshed into one code that is used across the country. The links on the website are to the ICC. Code books cost be-
34 tween \$80 and \$300 each. That is one of the biggest problems. Mr. MacAllister noted that some ICC codes are
35 available on line but some are not available on line, but the Library has access to them. Chairman Daniels asked
36 why there are five links and not just one. Mr. McKinney believes they are links to the specific codes (plumbing,
37 electric, gas, etc.). Chairman Daniels asked if it is like a chapter in an ICC book? Mr. McKinney said it is, since the
38 ICC is about 2000 pages.

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40 Chairman Daniels asked what the process is if you are putting an addition onto your house. Mr. MacAllister (Resi-
41 dential Code Enforcement Officer/Building Inspector) responded that residential and commercial are slightly differ-
42 ent, for an addition to a home, a plan is needed to be sure everything is properly supported. The more information
43 provided to the code enforcement officer, the better. We recommend trying to provide a detailed plan. Depending
44 on the addition, a septic plan may be required, a plot plan (to be sure it is not in the property setback), electrical and
45 plumbing plans. Chairman Daniels asked if those plans are done by an engineer. Mr. MacAllister said the plans can
46 be done by an architect or by the homeowner. The application is given to be filled out by the applicant, contact in-
47 formation is provided, the plan is provided to the department, for an addition a plot plan would be needed, septic
48 plan if required, that is it, most of the information is on the plan. The biggest issue is the detail on the plan. Select-
49 man Putnam asked who dictates the detail on the plan. Such as the joist or the beam sizes? Mr. MacAllister said
50 that is in the code, to be sure it is structurally sound. Mr. McKinney said that was in the BOCA code, but the build-
51 ing code does not cover engineered products. It depends on sleeping area vs. office area. That is very specific in the
52 building code. Selectman Putnam asked if it says in the building code that the building inspector will check the size
53 of the beams prior to issuing the permit. Mr. McKinney said that is correct, to verify that it will meet the require-
54 ments of the code. So the list is approved of what they need to do, asked Chairman Daniels. Mr. MacAllister said
55 yes and if they change something, that can delay it. Chairman Daniels asked if the responsibility is on the individual
56 that they need to know the code or get an engineer to know what the code is. Mr. McKinney said yes, and that in-
57 creases the inspection time, a lot of time is spent on changes and efficiency is a big thing, inspection times increase
58 when things are not done to code. If it is built to the plan, everything is already verified and it is a quick check.

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1 Chairman Daniels asked how many times drawings are unacceptable? Mr. McKinney said it is probably a high per-
2 centage, but it varies, and it depends on the person that did the plan. Chairman Daniels asked if there is anything the
3 department can do to inform people of what they need. Mr. McKinney said the department struggles with that, if the
4 person does not go through the checklist, there is only so much we can do. When they come in to the office, it helps
5 if they have reviewed the checklist, said Mr. MacAllister, but face to face contact also helps. The department meets
6 with every contractor that comes in. New buildings are pretty in depth. We go over the checklist, it is available on
7 the website, we go over the checklist and identify what will be needed; we guide the people. If information is pro-
8 vided, it can take up to 14 days for the permit to be issued; sometimes it takes only three days. So when the bare
9 minimum is provided, it takes longer, suggested Chairman Daniels. Mr. McKinney said that is correct. Chairman
10 Daniels asked about having specific checklists for specific situations. Mr. McKinney showed the different check-
11 lists for different applications to the Board which are also on line.

12
13 What Selectman Fougere is hearing on the street is the level of detail required that is not standard, things being faced
14 that are not the same in other communities. If there are comments on a plan that are minor, are they marked up and
15 returned to the applicant? Mr. MacAllister said if the comments are minor, he just marks it up and moves on with it,
16 but if it is a disaster, the plan would be returned to the applicant to fix. Mr. McKinney said it really depends on the
17 project. If it is standard lumber, we will just come back and make the comment on the plan, if it is an engineered
18 product, it requires more. The problem is that the programs do not fix all of the changes and it can affect the whole
19 project. The loading to be applied to the foundation needs to be calculated through. Selectman Fougere asked about
20 putting revisions to the bottom of the pile? Mr. MacAllister said if someone has submitted a plan with minor correc-
21 tions, it gets approved, but if it has a lot of corrections it does go to the bottom. Mr. McKinney said the department
22 works with several different In Boxes and revisions get put in a different box. Mr. MacAllister said people that do
23 submit applications with all the information will get processed faster. We issue the permit before everything is all
24 set in some cases. Selectman Fougere asked if there is a blower test on duct work. Mr. MacAllister said that is re-
25 quired, it is mandatory and is in the 2009 Energy Conservation Code, similar to Energy Star.

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27 Chairman Daniels indicated there is a lot more to the department than what people think, but he would encourage all
28 staff and Board members to go on line and look at the applications and give thought to what can be enhanced and
29 then another discussion can be held. Mr. McKinney responded to the specific application that was being discussed
30 earlier with the partitions and noted that there was also an outdoor kennel, which needed to be checked to see if it
31 was a Planning Board issue. It was more than just partitions. Mr. McKinney explained the department has building
32 inspection, enforcement, and site plan compliance, so it seemed like it was a site plan issue. A commercial site plan
33 is required within 60 days; our office typically turns them around sooner. In this particular application, the property
34 owner asked the town to hold it up to get more information. It took one week from the original submission date.
35 The Community Development Department meets monthly to discuss ways to review the process to address concerns
36 and complaints. If a complaint merits a change, then it is implemented. The department has two inspectors; build-
37 ing may be down, permits may be down, but sometimes people do not understand all the responsibilities that come
38 under Community Development, it is more than just inspections.

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40 Chairman Daniels asked if this particular applicant was asked about the authorization from the property owner. Mr.
41 McKinney explained to Chairman Daniels that the applicant thought the tenant would get the owner's authorization.
42 Typically, a letter or e-mail would come in from the owner. It is shown that the property owner is not the applicant.
43 Selectman Putnam asked if the electrical lay out was required. Mr. McKinney said no, just verification of electrical
44 work and the electrician spoke with Mr. McKinney; it was based on the tenant's needs. So an electrical layout was
45 not required from the contractor before the permit was issued asked Selectman Putnam? Mr. McKinney said no. He
46 came in after the permit was issued. Typically the electrical permit would be issued when the building permit was
47 issued. One complaint was that the electrical layout was required before the building permit was issued, said Se-
48 lectman Putnam. Mr. McKinney said they were issued about the same time, the same day. Selectman Fougere
49 asked if the inspection was to the site plan. Bill Parker said it was inspected in conjunction with the Planner. Mr.
50 McKinney added that we try not to do a lot of site plan inspections.

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52 Selectman Fougere will try to identify some specific issues to make it easier within the department, but the word on
53 the street is that the code is enforced more strictly in Milford than in other towns. Mr. McKinney would like to
54 know what those other towns are. Bill Parker would like to get specifics; Bedford is comparable to Milford, they
55 use the same system that Milford does, we watched how they do it; we are not too far off from Bedford. We may do
56 the same thing with Amherst, but they are kind of different from Milford. Selectman Fougere indicated when he
57 went to Amherst for a project a couple of years ago, it was painless. Guy Scaife noted the checklist is critical and
58 has been around for a couple of years. Are there any outstanding recommendations on the checklist? Mr. McKin-

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1 ney said the checklist was last updated January 2012 so it is being kept up to date. Guy Scaife said that there are
2 fewer permits being issued, but in 2011 there were 750 permits issued, 23 of which were new construction, 240 were
3 for building modifications, 463 were miscellaneous permits.

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5 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Selectman Putnam indicated there was
6 a house fire in town in his neighborhood over the weekend and he was able to watch the Fire Department in action.
7 Selectman Putnam said this town has some fabulous Firefighters, stating they looked great; there was water on the
8 fire within a half minute. Milford is fortunate to have such a great Fire Department.

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10 **4. DECISIONS**

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12 **a) CONSENT CALENDAR.** Chairman Daniels asked if there were any items to be removed from the
13 Consent Calendar. Item 4a1 was removed for discussion by Vice Chairman Finan. Selectman Putnam moved to
14 accept the Consent Calendar as presented with the exception of Item 4a1. Selectman Bauer seconded. All were in
15 favor. Motion passed 5/0.

- 16
17 (1) **Request for Endorsement of Michael J. Viola as New Police Chief.** Vice Chairman Finan re-
18 quested this item to be removed from the Consent Calendar, explaining that he felt it is an im-
19 portant position in town to read the appointment language as follows:

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21 “To Michael J. Viola, The Milford Board of Selectman, at their meeting of July 23, 2012,
22 voted to appoint you to fill the vacancy existing in the office of Full-time Police Chief. Upon your
23 taking the Oath of Office and having this appointment and Certificate of Oath of Office recorded
24 by the Town Clerk, you shall have the powers, perform the duties, and be subject to the liabilities
25 of such office until you or the Town terminates this appointment.”

26 Vice Chairman Finan moved to approve the appointment. Selectman Putnam seconded. All were
27 in favor. Motion passed 5/0.

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29 Guy Scaife indicated that Michael Viola’s first day of employment will be August 1, 2012 when
30 he will be sworn in at a ceremony in the Banquet Hall followed by a Meet & Greet at 4:30 p.m.
31 Other Chiefs of Police in the surrounding towns have been invited as well and all are welcome to
32 attend.

- 33
34 (2) **Request for Partial Release of Securities.** Community Development Director Bill Parker re-
35 quested a partial release of security of \$30,000, being held in the form of an irrevocable letter of
36 credit with TD Bank, NA, held to insure adequate reclamation of Phase 8 of the gravel operation
37 of Burbee Sand and Gravel Inc. A balance of \$33,750 remains in the security to fully cover the
38 remaining reclamation of the remaining portions of Phase 8. This request was approved.

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40 **b) OTHER DECISIONS.**

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42 **5. TOWN ADMINISTRATOR REPORT:**

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44 **a) 2013 Budget Process Update.** Guy Scaife indicated that last week budgets were given to all Department
45 Heads. The third week in August, he is looking to have the first pass and a town-wide consolidation by
46 mid September for the the Budget Advisory Committee (BAC).

47 **b) Osgood Pond Update.** Guy Scaife explained there is work being done on the dam at Osgood Pond, the
48 Department of Environmental Services is involved; this effort required the lowering of the pond, which will
49 be kept low while the work is done. Communications were sent to the pond abutters and the Fish & Game
50 was also notified.

51 **c) Miscellaneous.** Guy Scaife explained that the Jennison Road and Transfer Station paving is slated for two
52 weeks from now. The Transfer Station needs some prep work; the actual paving will be done on a Monday
53 when the Transfer Station is closed and the Jennison Road paving will be done the day before.

54 The closing for 66 Elm Street was completed on July 12, 2012, a few days later the environmental
55 survey sampling was done and sent off to the laboratories. The hazardous materials will be removed at the
56 end of July and the demo will be the week of August 20, 2012. DPW has been asked to clear out some of
57 the brush and debris on the back of the lot.

1 The Recreation Department has had on-line capabilities for program sign up and payment; last
2 month the Recreation Department was very busy and took in \$41,500 in revenue, \$20,400 of that was done
3 on-line. The online payment program has been very successful. This past weekend, July 21 and 22, Keyes
4 Park hosted the Rotary Swim meet which brought 550 swimmers on Saturday and 400 swimmers on Sun-
5 day and brought in approximately 2000 people to Milford. This is a big deal and was very successfully exe-
6 cuted. The town has done several upgrades to the pool area and the staff received several compliments.
7 This event was a warm up for the State swim meet coming up August 4, 2012.

8 Guy Scaife indicated that at the last meeting there were some statements made by Brendan
9 Philbrick that were attributed to Sergeant Pelletier; after a thorough investigation it is clear that the accusa-
10 tion against Sergeant Pelletier was not true. It is unfortunate that a name was used in public session since
11 those types of complaints are serious. Sergeant Pelletier did issue the tickets but he did not talk to the per-
12 son, if the statements were made, it was not by him. The police officers do try to contact the owner of the
13 vehicle but he did not speak to any of the people. Guy Scaife has worked with Brendan Philbrick to track
14 down who actually interacted with the police; we want to properly investigate this situation and Captain
15 Toom has gotten involved to track this down. Neither one of the residents will come forward to substanti-
16 ate the statements that were made. He would like to further investigate this, but he needs information from
17 people that heard the comments first hand and if not, we cannot take it further.
18

19 **6. DISCUSSIONS.**

20 a) **Street Sweeping Parking.** The ordinance for street sweeping, 6.24.115 was provided to the Board for dis-
21 cussion, to determine if any changes should be made. Chairman Daniels understands that there are no signs desig-
22 nating the days of street sweeping. Guy Scaife said the winter parking ban signs are put up and taken down each
23 season, but for street sweeping there are no signs at all. Guy Scaife does not understand why there are signs for the
24 winter parking ban but not for street sweeping and only one notice in the newspaper. The street sweeping ban is for
25 two nights each week. Guy Scaife believes towing vehicles because of street sweeping is excessive. June 14 there
26 were four cars towed and they also received a fine. Guy Scaife would recommend the ordinance be revised to limit
27 street sweeping to one night and add some signage, but how can the streets be listed. A letter could also be sent to
28 every business and landlord in the oval area through the Administration office. The ordinance has been in place
29 since 1975 but that means nothing to a person that just moved to Milford. It needs consideration, but Guy Scaife
30 asked that we immediately suspend any towing until this is resolved, he would think the tickets should be waived for
31 the four people that received tickets. Vice Chairman Finan asked if there have been any other vehicles towed. Guy
32 Scaife is unaware of any other vehicles being towed this year or last year; this was just prior to the Romney event.
33 Vice Chairman Finan asked if the sweeping is done every Thursday. Guy Scaife indicated there are times that we do
34 not sweep every Thursday. Selectman Putnam indicated there are several issues regarding oval parking and every
35 time it is addressed, it is a band-aid approach; maybe we should come up with one solution to fix it. Maybe DPW
36 could be instructed to go around any parked cars that are in the way and police could be instructed not to tow. Se-
37 lectman Bauer is looking into this and the town needs to do something.
38

39 Selectman Putnam moved that the Board look into this issue further, not tow vehicles, instruct DPW to go
40 around vehicles in the way, instruct the police not to tow vehicles or issue parking tickets regarding street sweeping
41 until a resolution is identified. Vice Chairman Finan seconded. Chairman Daniels asked if this will further obstruct
42 the sweeper. Chairman Daniels suggested issuing a warning but not tow the vehicle so that people still understand
43 that they should continue to adhere to the ordinance. Selectman Putnam moved to amend his motion to reflect that a
44 warning will be issued but the vehicle will not be towed. Vice Chairman Finan seconded. All were in favor. Mo-
45 tion passed 5/0.
46

47 b) **Board Positions on LGC's 2012-2013 Legislative Policy Recommendations, Floor Proposals, and**
48 **LGC Delegate Selection for Policy Conference.** Chairman Daniels asked members to look over the listing to talk
49 about in detail at a work session. All concurred to meet on August 6, 5:00 – 6:30 to review recommendations. If
50 anything needs clarification, please contact Guy Scaife.
51

52 c) **Elimination of Community Service Program by Hillsborough County Due to Budgetary Cut Backs.**
53 The town has been notified that due to budget cutbacks the Department of Corrections will no longer be able to as-
54 sist the town in projects with the Community Service Program. Chairman Daniels indicated that it seemed that the
55 delegates wanted to continue this program, but there was just not enough funding for it to continue. Selectman Put-
56 nam asked if there is a possibility of it being reinstated as it was last year. Chairman Daniels said last year they put
57 money back into the program, but he does not believe that will happen again. Guy Scaife testified at this hearing
58 last year and it got reversed, but this year the cut was a lot more. Chairman Daniels said though he supported it,

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1 efforts to keep the program funded were overwhelmingly voted down. This was a casualty of the 3-5% budget cut
2 in each department. Selectman Putnam suggested finding out what the cost would be to get them transported and
3 protected for their services. Selectman Fougere asked what these people had been used for in the past. Guy Scaife
4 went through the list of projects noting that Milford was able to get a full crew for 6 to 8 weeks per year and all we
5 had to do was provide lunch.
6

7 **7. SELECTMEN’S REPORTS / DISCUSSIONS.**

8
9 **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Fougere
10 indicated the Ambulance Facility Committee will provide an update at the next Board meeting. Selectman Fougere
11 said the committee will provide an outline and a general site plan. The building may not meet the setbacks and they
12 need to talk with the ZBA, but they are close to making a decision. Eric Schelberg is showing the floor plan to his
13 staff this week. The committee is working on the contract for the construction manager and this week a price of
14 materials is being quoted for ICF and wood. Selectman Bauer said that municipal projects do not have to go before
15 the ZBA, but there might be a policy about not meeting the setbacks for municipal buildings. Selectman Fougere
16 brought up the Voter ID situation for the elections and he is wondering if a reminder should be put out to residents
17 to let them know it is law in the November elections to check in with a photo ID. Chairman Daniels agreed noting it
18 could be put on PEG Access, on the website and in the Cabinet or maybe a sign on the oval.
19

20 **b) OTHER ITEMS (that are not on the agenda).** There were no other items brought up.
21

22 **c) 2012-2013 Board of Selectman Goals and Tasks.** Chairman Daniels indicated a number of the Board
23 goals are ongoing, Chairman Daniels has added the Purchasing policy to the third quarter 2012 goals. Se-
24 lectman Bauer’s oval parking project is moving along, she is working with Assessing to identify tenants
25 around the oval.
26

27 **8. APPROVAL OF FINAL MINUTES – June 25, 2012.** Selectman Bauer requested one amendment. Select-
28 man Putnam moved to approve the amended minutes of June 25, 2012. Vice Chairman Finan seconded. All were in
29 favor. Motion passed 5/0.
30

31 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.** There were no information items discussed.
32

33 **10. NOTICES.** Notices were read by Chairman Daniels.
34

35 **11. NON-PUBLIC SESSION.** Vice Chairman Finan moved to enter into Non-public session at 9:40 p.m. in ac-
36 cordance with RSA 91-A:3 II (a) and (e) (Personnel & Legal). Selectman Fougere seconded. All were in favor.
37 Motion passed 5/0.
38

39 Selectman Putnam moved to unseal the non-public minutes of June 25, 2012. Selectman Fougere seconded. All
40 were in favor. Motion passed 5/0.
41

42 Selectman Putnam moved to approve the non-public minutes of June 25, 2012 as presented. Selectman Fougere
43 seconded. All were in favor. Motion passed 5/0.
44

45 Selectman Putnam moved to re-seal the non-public minutes of June 25, 2012. Selectman Fougere seconded. All
46 were in favor.
47

48 After discussion, Selectman Putnam moved to come out of non-public session at 10:26 p.m. Selectman Fougere
49 seconded. All were in favor. Motion passed 5/0.
50

51 After adjournment of the non-public session, Chairman Daniels announced that in the non-public session the Board
52 discussed a personnel and a legal issue.
53

54 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to
55 adjourn at 10:27 p.m. Selectman Fougere seconded. All were in favor. Motion passed 5/0.
56
57

58 _____
Gary L. Daniels, Chairman

Tim Finan, Vice Chairman

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Katherine Bauer, Member

Mike Putnam, Member

Mark Fougere, Member