

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
October 22, 2012

PRESENT: Gary Daniels, Chairman
Tim Finan, Vice Chairman
Katherine Bauer, Member
Mike Putnam, 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 public meeting to order at 5:31 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. – Final Vote on Ordinance 2012-007 to Enact Modifications to Milford Municipal Code 6.32.100 – Ledgewood Drive Speed Limit. Vice Chairman Finan moved to adopt modification to Milford Municipal Code 6.32.100 – Ledgewood Drive Speed Limit as presented. Selectman Putnam seconded. All were in favor. Motion passed 5/0.

5:35 p.m. – Final Vote on Ordinance 2012-008 to Enact Modifications to Milford Municipal Code 7.04.070 – Open Liquor Container Prohibition. Chairman Daniels indicated at the second reading of this modification, the words “or possess” were added. Selectman Putnam moved to adopt the amended modification to Milford Municipal Code 7.04.070 – Open Liquor Container Prohibition. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0. Chairman Daniels thanked Board members for taking another look at this code on his recommendation.

5:40 p.m. – Second Public Hearing on Ordinance 2012-009 to Enact Modifications to Milford Municipal Code 6.24 – Stopping, Standing and Parking – Winter Parking Hours. Chairman Daniels opened the public hearing at 5:40 p.m. Chairman Daniels asked for public comments. There were none. Chairman Daniels closed the public hearing at 5:42 p.m. Chairman Daniels asked for comments from the Board. Selectman Bauer asked for an explanation of the ordinance since she was not here at the first hearing. Chairman Daniels explained this is changing to a Winter Parking Ban between the hours of 1:00 a.m. and 6:00 a.m. from November 15 to April 15 each year. The past discussions were that some years there was no snow but people still could not park during those hours between those dates. What has been brought forward is this modified code with a snow removal parking ban letting people know when the ban is in effect. The ban will be in effect until the light is turned off and will be determined day by day. The ban may remain in effect after the snow event because of snow clean up but it will only be between 1:00 a.m. and 6:00 a.m.

Selectman Bauer asked if costs for installing the light were collected. Guy Scaife indicated that Rick Riendeau is on vacation but we will have that in time to make that decision, there will be three methods of notification: the light (visible around the oval) the website or subscription to Nixel which will be sent to members stating the ban is in force and when it is cancelled. The details will be publicized and people will be notified of this change. Selectman Bauer asked if this will be in effect by the first storm. Guy Scaife said yes, the ban is during the early morning only, it is not always in force, it will only be when we activate the warning light and only between 1-6 a.m. If the light is on, Selectman Bauer asked if the ban only starts at 1 a.m. Guy Scaife said yes. Selectman Bauer asked if this is in the oval only or outside the oval. Guy Scaife said this covers the entire town as the other ban did. Selectman Bauer thinks this is a little difficult to understand, we need to educate and we will try it for a year to see how it goes. Guy Scaife disagreed, a code is a code and it can be re-addressed but to say it is only a trial is not correct. Selectman Bauer said if this is more trouble, we should reconsider the code. Chairman Daniels said a future Board can consider that. The next Board can look at it again if there are problems, we are putting it in with the intent that it will remain. Selectman Bauer said the Board hopes this works and if it does not, a future Board can look at it again.

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Vice Chairman Finan asked if there have been significant issues outside the oval. Guy Scaife does not know of any issues outside the oval area. Chairman Daniels asked for further questions. Selectman Bauer asked about the parking that is marked for the Red Arrow, will that be affected? Guy Scaife said that will not change. Chairman Daniels stated the final vote on this code will be at the November 5, 2012 special Board meeting.

6:00 p.m. – Public Hearing for Acceptance of Unanticipated Funds Over \$5,000 Per NH RSA 31:95(b). Chairman Daniels read the listing of unanticipated funds over \$5,000 for acceptance as follows:

<u>Amount</u>	<u>Source</u>
\$5,850.00	Federal Grant – NH Highway Safety Project #315-13A-013 Funding for overtime for Milford “Operation Safe Commute” Patrols conducted from October 26, 2012 – September 19, 2013
\$2,000.32	Kaley Park Development #3 Special Purpose Fund Fundraiser donations from the Milford Recreation Commission

Selectman Putnam moved to approve the listing of unanticipated funds over \$5,000 as presented. Selectman Fougere seconded. All were in favor. Motion passed 5/0.

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

4. DECISIONS

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

(1) **Request for Acceptance of Donation to the Rail Trail Maintenance Fund from the Pumpkin Festival Fund Raiser per NH RSA 36-A:4.** The Conservation Commission requested permission from the Board of Selectman to accept \$73.40 in donations generated from the 2012 Pumpkin Festival to be put into the Rail Trail Maintenance Fund. Guy Scaife indicated the Conservation Commission oversees the rail trails and just completed another section being upgraded up to the Route 101 bypass. It was previously treacherous and very narrow. DPW had rehabilitated certain sections over the past two years so that now it is a contiguous area. Chairman Daniels noted that the Conservation Commission was seeking Board permission to accept the donations raised at the Pumpkin Festival.

b) **OTHER DECISIONS.**

5. TOWN ADMINISTRATOR REPORT:

- a) **2013 Budget Planning Update.** Guy Scaife indicated that the budget planning is in process for 2013 and the first pass is almost complete and ready for the Budget Advisory Committee review for Wednesday of next week. Additionally, there is a health care increase, the Anthem rate projection is 13% for January 1, 2013, that is a huge increase; we have gone out to bid with three vendors and have received one quote from SchoolCare which is higher, Harvard will be providing a quote. We have been trying to offset those increases, there are a lot of things being done to hold down the rates including increasing the co-pay or deductible. Selectman Fougere asked what the 13% is in dollar value. Guy Scaife responded it is over \$100,000 but he does not have that specific number tonight. DRA confirmed the municipal tax rate, which was what Jack Sheehy had presented at 6.02% which is what the Board projected last year. That is a 2.5% increase.
- b) **Riverbank/Oil Seep Management Project.** Guy Scaife provided an update on the effort that DES is doing on the Souhegan River for the oil seepage in the river. They expect to begin starting work about October 24. They will excavate a certain area and be cleaning the stones, then they will come back in and concrete the area to seal it. The concrete work will be the following week. There were no further questions.
- c) **Miscellaneous.** Guy Scaife indicated the Expo was excellent and had about 30 more exhibits than the previous year. The Hampshire Dome was filled and it brought in a lot of outside vendors.

1 6. DISCUSSIONS.
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3 7. SELECTMEN'S REPORTS / DISCUSSIONS.
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5 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Fougere
6 indicated the Ambulance Building Facility Committee is currently reviewing budgets; reviewing individual
7 cost items and will continue to look at ways to save. Once a full list is available, it will be brought to the
8 Board of Selectman. Selectman Bauer asked if any of the reductions will affect the mission of the ambu-
9 lance facility. Selectman Fougere said no, there have been some changes to dormers, insulation, heating
10 system, and drainage. Chairman Daniels asked if November 5 is good for Board members to meet with the
11 School Board at the 6:30 p.m. meeting at the high school to review the Joint Services Study Committee re-
12 port. Paul Dargie, School Board member, feels a date should be chosen and whoever can make it attends.
13 Chairman Daniels asked those that can attend to please attend that meeting for the Joint Services Study
14 Committee.

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

16 Use of Town Vehicles. Chairman Daniels drafted the language for a policy on town personnel use of town
17 vehicles. Chairman Daniels asked for Board members' thoughts or comments. Vice Chairman Finan asked
18 if this is consistent with the way things are today. Guy Scaife said that is correct. Selectman Bauer has a
19 problem with the "on call" portion in this draft language. Chairman Daniels said the emergency personnel
20 are always on call except during vacations or conferences. Selectman Putnam moved to approve the draft
21 policy for use of town vehicles. Vice Chairman Finan seconded. All were in favor. Motion passed 5/0.

22 Committee Adherence to Right To Know Law. Chairman Daniels read his draft letter indicating to all
23 Board/Committee/Commission Chairs the requirements for minutes to be taken and posted. Chairman
24 Daniels asked for Board comments. All members were in concurrence with the draft and agree that it be
25 sent to all Chairs.
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27 c) **2012-2013 Board of Selectman Goals and Tasks.** Chairman Daniels indicated the website has been
28 fixed; there are some things that will be brought up at the next meeting, such as attracting business to Mil-
29 ford and there are some things that are completed on the list of goals. DPW's latest maintenance plan for
30 roads and bridges is current. Guy Scaife said it was updated earlier this year and we do not expect further
31 modifications this year. Chairman Daniels continued to review the list of Board goals, stating the budget
32 process will start at the next meeting. The ambulance facility construction will begin in spring, the policy
33 on the use of town vehicles was on tonight's agenda, the fireworks ordinance was done months ago, the
34 waiver on the use of town hall facilities was reviewed but no changes will be made at this time. The winter
35 parking ban will be reviewed at the next meeting; if it is adopted that goal will be complete. The Board
36 will start talking about the goals for 2013 before the end of 2012. In the past, that has waited until the new
37 Board is on line but Chairman Daniels would like to have that done before the end of the year. The Joint
38 Services Committee purchasing policy will be reviewed at the next Board meeting. Guy Scaife said the is-
39 sue on the purchasing policy is that it was felt the policy was fine and there is always room for interpreta-
40 tion. Chairman Daniels remembers that it was about following the process that is already established.
41

42 As far as Board projects, it was decided that the town will move forward with dredging five acres of Os-
43 good Pond, that will be kept on the Board project list until completion. The Dam Study project is being
44 monitored, right now we are waiting on the State. Chairman Daniels asked what technology upgrades have
45 been done this year? Guy Scaife said that Bruce has not yet completed the phone migration at the Library
46 and he is also still working on the virtual servers. Chairman Daniels asked if there are some that have mi-
47 grated to virtual servers. Guy Scaife said there are some and there are also upgrades to PCs that get done
48 every five years. That is an ongoing process. Chairman Daniels said the website has been overhauled, he
49 will go through it again, because of the recent modifications, he moved the target date to the end of 2012.
50 Janet Langell has also gone through and identified some areas that need correction. There are only two or
51 three ordinances that have not been put on line to date. Posting minutes on line for all the town commit-
52 tees, commissions and boards will be enforced through the memo Chairman Daniels has drafted.
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54 Vice Chairman Finan has been looking at the usage of town parks but wants to know exactly what the
55 Board wants this report to include. Vice Chairman Finan said that MCAA is also looking at their usage.
56 Vice Chairman Finan did not bring his draft tonight because he wanted to know exactly what the report
57 should be showing. Chairman Daniels was looking to make sure the times people can get in the parks are
58 sufficient and that trails and recreation programs are identified. Chairman Daniels wants to assure the resi-

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dents that the taxpayers money is being put to good use. Vice Chairman Finan will put the finishing touches on what has prepared. The Master Plan is also collecting a lot of that information. Chairman Daniels will change the due date for that goal to the fourth quarter 2012. Chairman Daniels asked the status of changing to a fiscal year; he understands there has been legislation filed for that and that DRA would make those changes, what is the status? Once that gets through then it will be the next Board to decide whether or not that should pass. Logistically it makes sense.

Chairman Daniels indicated there is still discussion to be had about MACC Base, since the Board needs to decide by the end of 2012 if we will stay with them the following year or give notice. Chairman Daniels asked about the Fletcher site status. Guy Scaife said there is supposed to be another public meeting, the work on the private property to the left of Keyes Drive might be done this year. Selectman Fougere asked for an update on the website that was just rolled out; he saw a lot of issues. Guy Scaife said there were numerous issues identified, some of the testing did not go the way it was supposed to, and some data was lost. That has been worked through over the weekend and some other problems were created but all the key information was restored. We are still working some consistency issues. Mike McInerney has gone through about 98% of the site to verify everything and the screen resolution needs to be resolved. The calendar capabilities are still being worked out. The developer used for this project has historically been very good, no previous problems.

8. APPROVAL OF FINAL MINUTES. Selectman Putnam moved to approve the minutes of July 30, 2012 as amended. Vice Chairman Finan seconded. All were in favor. Motion passed 3/0/2 with Chairman Daniels and Selectman Fougere abstaining as they were not present for this meeting. Selectman Fougere moved to approve the minutes of September 10, 2012 as amended. Selectman Bauer seconded. All were in favor. Motion passed 5/0

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

10. NOTICES. Notices were read by Chairman Daniels.

11. NON-PUBLIC SESSION. Selectman Putnam moved to enter into Non-public session at 6:45 p.m. in accordance with RSA 91-A:3 II (a & c) (Personnel and Reputation). Selectman Fougere seconded. All were in favor. Motion passed 5/0. The non-public minutes of September 10, 2012 (Personnel) were approved as amended on motion made by Selectman Putnam and seconded by Vice Chairman Finan. Motion passed 5/0.

Selectman Putnam moved to come out of non-public session at 7:46 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0. Selectman Putnam moved to seal the minutes of this non-public session, Vice Chairman Finan seconded. All were in favor. Motion passed 5/0. Chairman Daniels announced that in non-public session one set of non-public minutes dated September 10, 2012 were approved and the Board discussed a reputation matter and a personnel issue. There were no decisions made or votes taken.

12. ADJOURNMENT: There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 7:47 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Gary L. Daniels, Chairman

Tim Finan, Vice Chairman

Katherine Bauer, Member

Mark Fougere, Member

Mike Putnam, Member