

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
May 28, 2013

PRESENT: Gary Daniels, Chairman
Mark Fougere, Vice Chairman
Katherine Bauer, Member
Mike Putnam, Member
Kevin Federico, Member
Guy Scaife, Town Administrator
Kathryn Parenti, Recording Secretary
Mike McMahon, Videographer

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Daniels called the public meeting to order at 6:48 p.m. and introduced Board members; he 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. Chairman Daniels indicated that the Board met in non-public session at 5:25 p.m. for several reputation discussions. Four votes were taken and four decisions were made.

2. APPOINTMENTS:

5:30 p.m. – Non-Public Session – Reputation. Chairman Daniels opened the non-public session at 5:25 p.m. on motion made by Selectman Putnam and seconded by Selectman Bauer. All were in favor. Motion passed 5/0. After discussion, Selectman Federico moved to come out of non-public session at 6:46 p.m. Vice Chairman Fougere seconded. All were in favor. Motion passed 4/0. Vice Chairman Fougere moved to seal the minutes of the non-public session. Selectman Federico seconded. All were in favor. Motion passed 4/0 with Selectman Putnam out of the room.

5:55 p.m. – Request for Denial of (1) Special Appraisal – Residence in Industrial and Commercial Zone Application, Approval of (1) Veteran Tax Credit Application, Approval of (3) and Denial of (1) Property Tax Abatement Applications and Approval to Remove (2) Parcels from Current Use Status & Issuance of Tax Warrant. Marti Noel, Town Assessor, explained this is the time of the year when exemption applications, veteran's credit applications and other exemption applications come forward to the Board of Selectmen for review and approval or denial. The following were reviewed:

Residences in Industrial or Commercial Zone Applications– Selectman Putnam moved to deny the special appraisal for five residences in the industrial or commercial zone as recommended by the Town Assessor. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

Veteran Tax Credit Application Approval – Selectman Putnam moved to approve the one veteran credit application as recommended by the Town Assessor. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

Approval of Property Tax Abatements (3) – Selectman Putnam moved to approve all three property tax abatements as recommended by the Town Assessor. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

Denial of Property Tax Abatement (1) – Selectman Putnam moved to deny the property tax abatement as recommended by the Town Assessor. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

Removal of (2) Parcels from Current Use Status - Selectman Putnam moved to approve the removal of current use status for the two parcels. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

All of the associated listings of exemptions, credits, etc. discussed herein, are a part of the permanent agenda packet for May 28, 2013 and included by reference to these minutes as part of the permanent record.

6:15 p.m. – Roads, Bridges and Paving Update – Public Works Director Rick Riendeau. Public Works Director Rick Riendeau noted the Board should have received a handout indicating the proposed schedule for road work for 2013 – 2015. He began with 2013 and noted they have planned to mill and fill Elm Street from Granite Town Plaza to Blue Seal Feeds, which consists of milling out 1 ½ inches of pavement and paving it with 1 ½ inches of asphalt. They are going to do an overlay on Comstock Drive and Merrimack Road where they will be going over

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1 the existing pavement with a shim coat and 1 inch of pavement over that. There is no stone chip seal planned for
2 this year. Chairman Daniels asked if there were any criteria for the selection of roads to work on. Mr. Riendeau
3 replied he chooses the roads; they aren't necessarily the worst but there is a balancing act with the budget. Mason
4 Road, which is planned for 2014, requires a different process; the surface must be ground, emulsion will be injected
5 and the road will be regarded. Chairman Daniels asked if there was an annual priority. Mr. Riendeau replied yes,
6 but it could change. David Drive, which is on the schedule for 2014, just popped up; there is something going on
7 under the surface that needs to be addressed. He went on to talk about line painting, which can only happen during
8 periods of warm, but not too hot, nights, during May and June and September through November. He has budgeted
9 \$16,500 per year and a truck comes in to paint the yellow and white lines. All crack filling is done in-house and is
10 budgeted at \$16,000 per year. Traffic painting, which includes cross walks, is done in-house as well; the cost is the
11 paint itself. Cold patch is done every year. He went on with 2014 road projects: Mason Road is heavily travelled
12 and they are looking at the process mentioned earlier. They will grind the pavement, inject emulsion, grade it, and
13 pave a 2-inch base with a 1-inch finish coat. Until they figure out the problem, he isn't sure what they will do with
14 David Drive at this point. Chairman Daniels asked about reclaiming of materials. Mr. Riendeau stated with milling,
15 the material goes to the town pit and is used again; an example would be the apron at the MCAA fields – the materi-
16 al eventually acts like regular asphalt over time.

17
18 Selectman Bauer asked if line painting would start in June, since May was nearly over. Mr. Riendeau replied they
19 have to look at the night time temperatures; they have been changeable this spring. As soon as it is warm enough,
20 he will schedule it. He went on to 2015 projects: Amherst Street will be milled and filled and some structure work
21 will be done. They will also do an overlay on Armory Road and cold plane Grove Street. Selectman Federico asked
22 about cold patch and stone chip seal. Mr. Riendeau stated stone chip seal is liquid asphalt with stone added to it that
23 is a top dressing to the asphalt. Mr. Scaife stated the challenge is to find funds to do what needs to be done. The
24 paving budget has grown 4% per year but that doesn't cover the escalated cost of materials. More streets have been
25 added as well. They do have to wait until the right time of year to paint the cross walks and they do wear off over
26 time. Many communities recess the level of the crosswalks to give them more life but it is expensive.

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28 Chairman Daniels asked if there is a mileage target. Mr. Riendeau replied it is money based; there are 90 miles in
29 town and each type of overlay is different with different costs associated with them. Chairman Daniels noted there
30 was no chip sealing scheduled for 2013 with \$65,000 allotted for chip sealing in 2014 and \$80,000 allotted for 2015.
31 Mr. Riendeau stated the town is falling behind in road maintenance and the cost of materials is still going up. In
32 2000, asphalt was \$30.80 per ton; in 2012 it went up to \$72.20 per ton. Selectman Putnam thought it would be good
33 to address this in the next budget process. Mr. Riendeau stated bridges are big ticket items and should be addressed
34 in the budget and CIP. He is using everything he has in his arsenal to repair roads, be it stone chip seal, sand seal,
35 mill and fill, rip out and repair, inject emulsion, inject cement. The trick is finding the best bang for the buck.

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37 Chairman Daniels asked about the bridge status. Mr. Riendeau stated there are 19 bridges in town; 3 are closed
38 (Iron Bridge, Union Bridge over Great Brook, Mason Road over Great Brook), 3 are red listed (Savage Road,
39 Jennison Road over Hartshorn Brook, Hartshorn over Hartshorn Brook) and have been for a long time. Four bridges
40 are double steel culverts that are deteriorating fast and four with masonry decks are in satisfactory/fair condition.
41 Vice Chairman Fougere asked if any bridges are on the CIP. Mr. Riendeau indicated none are. He noted Hartshorn
42 Bridge could be closed; it would not be economical to repair. The Savage Road bridge went to a 6-ton weight re-
43 striction and can stay that way for a long time. The Mason Road bridge over Great Brook is a 1980's vintage bridge
44 and is not wearing well like they said it would; this is on the top of the list. He is trying to get pre-disaster FEMA
45 funds to offset the cost. Selectman Putnam asked if he had the cost for the Jennison Road bridge. Mr. Riendeau
46 replied the preliminary estimate was \$580,000. He received an update from the engineer who said the wetland per-
47 mit and preliminary design are complete. Selectman Putnam asked about the cost of the temporary fix and if there
48 was a fund for maintenance. Mr. Scaife indicated the cost was between \$25,000 and \$30,000 and the work was
49 done in-house. Mr. Riendeau noted it takes time to evaluate all the roads and bridges and there is not a lot of docu-
50 mentation; he is working hard to correct it. Vice Chairman Fougere noted the CIP process has started and if a pro-
51 ject meets the criterion, put it in the queue.

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53 Mr. Riendeau stated bridges are no longer made of steel and there are wetland regulations that must be adhered to.
54 Jennison Road was a squash culvert and is now a 27 foot bridge, because of the regulations. They used to use box
55 culverts but the state now wants span bridges. Mason Road will be the same class as Jennison Road to protect the
56 wetlands. The soil was not great at Jennison Road and that drove up the cost. Engineering must be done on any
57 bridge project first. Vice Chairman Fougere asked about the status of the stone bridge. Mr. Riendeau replied they

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1 are waiting for the mason’s schedule to free up. They will also be doing some electrical work at the same time and
2 also do upgrades at Emerson Park as well.
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4 **7:00 p.m. – EDAC Policies and Procedures Subcommittee – Report on Office of Community Development**
5 **Customer Service Survey- EDAC Chair John McCormack, Subcommittee members, and Community Development**
6 **Director Bill Parker.** John McCormack, Matt Ciardelli and Bill Parker were representing the Economic
7 Development Advisory Committee (EDAC) policies and procedures subcommittee. Mr. McCormack stated they
8 were bringing up-to-date findings and activities of the subcommittee over the past 3 years. They have also included
9 the feedback from the Customer Service Survey. Some indicated they did not want to be publicly identified, but all
10 input is important. The memo from May 22, 2013 from Bill Parker highlights the results. The group is trying to
11 foster economic development in Milford by policies and procedures, town website and land use and there were key
12 issues that had to be addressed. He noted some departments are easy to work with and some are not. They looked
13 for consistency in permits and policies and the process should be coordinated and seamless. Year 1 of the committee
14 was to build awareness of what they were looking for. Year 2 was greater awareness and communication. Year 3
15 was getting feedback. They did send out a survey to people and businesses who had taken part in the planning, zon-
16 ing or permit process and there were areas that needed improvement. He noted a customer complaint is not a bad
17 thing as long as something is learned from the complaint. There were 2 key themes; one is the continued support by
18 the BOS for economic development and the other is support for policy and procedures to include safety, health and
19 concern for the environment. Community Development has the responsibility to not cause harm or safety issues.
20 He also noted during this period, there have been new DPW, Fire, Police and Water department heads along with the
21 loss of some key employees. Even though these changes have occurred, there is still a strong core. He stressed this
22 is a commitment for continuous improvement and they can do better, as long as there is a willingness to seek im-
23 provement.
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25 Selectman Bauer asked how many surveys were distributed. Mr. McCormack replied they had received 7 responses.
26 Mr. Parker stated they pulled candidates from recent planning and zoning cases and building permits. They sent out
27 30 surveys split among the groups and got half of them back. Chairman Daniels asked if the survey was the same as
28 the one sent out in 2010. Mr. McCormack replied it was a different questionnaire; three years ago the discussion
29 was with business leaders and a subset of that related to policies and procedures. Chairman Daniels wondered if
30 they would have gotten a better response with the same people surveyed in 2010. Mr. McCormack noted Hitchiner
31 had a major project recently and were very complimentary, were very professional and had very professional con-
32 tractors on site. Vice Chairman Fougere noted this survey was to get an up-to-date temperature of the process, dif-
33 ferent from the focus of before; this survey was more targeted. Mr. Ciardelli noted the people surveyed are inter-
34 twined within the town; they wanted to figure out if any changes needed to be made to make it easier to deal with
35 the town. Mr. McCormack noted they wanted to find out what the issues are that are bothering people. The most
36 common issue was deck permitting and that was addressed by adding a lot of deck information on the website.
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38 Dale White, member of the subcommittee stated it isn’t a pleasant job meeting with all the department heads but
39 they tried to keep in mind the big picture. They are looking at what the town is doing to make people want to come
40 here. There were some issues brought out and staff has tried to address the issues. EDAC is trying to bring aware-
41 ness to the boards that there are issues that need to be addressed. They want good businesses to come to Milford but
42 there also must be a good business climate. Time is money and time can’t be wasted waiting for permits. There
43 needs to be a level of common sense added to this as well; some smaller towns don’t have such procedures and are
44 easier to work with. The Board of Selectmen must give their support to the departments and simple changes will
45 draw businesses to Milford. He noted there should be a work session with EDAC, BOS, and Planning Board. Mr.
46 Parker noted he hoped that would be happening in July 2013.
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48 Penny Seaver, member of the subcommittee noted it was a pleasure to meet with the various department heads and
49 noted the urgency of the situation, as Mr. White stated: “Time is money”. If they can guide the public through the
50 process, they can then work on the next level of direction. Mr. McCormack noted the most important part is what
51 we do with the information obtained in the survey. Mr. Parker stated he has an excellent staff in his office and noted
52 both building officials are relatively new to their positions. The chief building official has been with the town for 5
53 or 6 years and has been the chief building official for a few months; he has had some challenges with this new posi-
54 tion. The deputy building official has a strong construction background but is willing and eager to learn. All have
55 appreciated the feedback and have responded to changes. He noted there are areas to immediately address and they
56 need to look at code requirements that are and are not mandated and compare that with other towns. They are also
57 looking at plan review; permitting and time management and they may need internal structural changes. He also
58 noted with every complaint, there are 20 to 30 people who are satisfied with the process. People will come to the

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1 BOS with issues and he would like them sent to the Office of Community Development to solve the problem. Mr.
2 Parker is looking for Board of Selectmen support. He would like to see other departments go through this to look at
3 their customer service as well. Mr. McCormack noted a commitment to continuous improvement is part of this pro-
4 cess.

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6 Mr. Parker noted Dana MacAllister, Chief Building Official, looked through the survey concerns and addressed each
7 one. He handed copies to the board. Chairman Daniels thanked EDAC for doing this and for being so committed.

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9 Mr. Parker note there is another survey on the website and they hope to garner 400-500 responses. It covers a range
10 of issues and the intent is to present the results to the group meeting in July 2013. Chairman Daniels asked how
11 long the survey has been circulating. Mr. Parker replied it has been on the website about 2 weeks. There are also
12 paper copies available but it has not been advertised yet. Selectman Bauer was disturbed there were only 7 respons-
13 es to the recent survey. She noted Mr. White said the word on the street is that Community Development is not co-
14 operative, but that is not the general experience by the public. She was glad to see they listened to the recommenda-
15 tions but noted not enough was said about what they do well. Mr. McCormack noted Mr. White gives the unvar-
16 nished answer and it is important to read Mr. MacAllister's responses to the complaints. The department is not per-
17 fect but neither are the customers. As things relate to health, safety and codes, they can't cut corners. They can
18 adopt a more streamlined process but he believes Mr. Parker and his department are doing a wonderful job. He also
19 noted smaller towns don't have anyone to enforce the codes so the residents are on their own. He thanked Mr.
20 Scaife for being open to this process.

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22 Mr. White noted they were asked to gather information and to not candy coat it. Mr. Scaife asked them to get real
23 information and they did. Selectman Bauer stated she doesn't like hearsay and wants facts. If someone has a prob-
24 lem, she wants to know the facts to back up the negative comments. Vice Chairman Fougere noted it is important to
25 note there were a lot of positive comments along with the negative ones; it is hard to hear the negative ones but they
26 exist. An example was that it took 2 months to get the building permit for the ambulance facility. Selectman Bauer
27 indicated she wanted to know why it took so long, not just that it took 2 months. If there is background information,
28 they can then have an objective opinion. Mr. Scaife noted there was a lot of work done and it is a work in progress
29 that has gone on for 4 years with a lot of progress being made with more on the way. He wanted to recognize the
30 committee as they have been consistent with membership; they know what to ask and what to follow up on in order
31 to get feedback of value. He has learned a lot and these four people: Penny, Matt, John and Dale, have stuck with it
32 and hopefully they will continue. There are wrinkles with codes that have never been looked at before and people
33 have to make decisions on the fly. He thanked the EDAC subcommittee again.

34
35 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Selectman Putnam noted there was a
36 request from a resident on Johnson Street to replace a speed limit sign on the road that was removed during con-
37 struction and never replaced. There were some concerns with speeding on the road and he felt they should reduce
38 the speed to 20 mph. He wondered if they should send this item to the Traffic Safety Committee. Chairman Daniels
39 felt some research into the original speed limit on the road is necessary before acting on it.

40
41 Vice Chairman Fougere noted in rereading the Master Plan for the Brox Property from February 17, 2005, there was
42 1.1 million yards of gravel on the property. He felt they should take another look at it and perhaps put it on the mar-
43 ket, get an RFP for sand and gravel. They could use the revenue for CIP, roads, bridges, field work. They should
44 take advantage of the resource to offset the purchase price of the land and also save some for town use. Chairman
45 Daniels noted he had never heard the argument to sell materials to fund other things. He would like to know how
46 much material has been used. Mr. Scaife indicated he has asked Mr. Parker to update the plan.

47 48 **4. DECISIONS**

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50 a) **CONSENT CALENDAR.** Chairman Daniels requested item 4.a.3 to be removed for discussion. Select-
51 man Putnam moved to approve the Consent Calendar as presented with the exception of item 4.a.3. Vice
52 Chairman Fougere seconded. All were in favor. Motion passed 5/0.
53 (1) **Request to Renew (3) Licenses to Sell Pistols and Revolvers.** The request was submitted by the Po-
54 lice Department and was approved by the board.
55 (2) **Request to Appoint Granite Town Media Advisory Board Candidate Time Finan (Full Citizen**
56 **Member).** The request submitted by Granite Town Media Chair Joe Kaspar was approved.

1 (3) **Request for Approval of Granite Town Media Advisory Board Member Terms.** Vice Chairman
 2 Fougere moved to table this item to the next meeting as more discussion is required regarding the stag-
 3 gering of term expirations; the board agreed.

4 (4) **Request for Acceptance of Unanticipated Funds Under \$5,000 Per NH RSA 31:95 (b).** The request
 5 for acceptance of Unanticipated Funds Under \$5000 was accepted as follows:

Source	Amount	Purpose
Annual Milford Police Fishing Derby	\$518.00	Proceeds from Fishing Derby raffle ticket sales to be used towards future Fishing Derbies

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10 (5) **Request for Acceptance of Property Tax Warrant – First Half 2013.** The request for Acceptance of
 11 Property Tax Warrant for the first half of 2013 was approved.
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13 **b) OTHER DECISIONS.**

14 (1) **Request to Vend on Town-owned Property – Shepard Park – Friendly Franks.** Chairman Daniels
 15 noted this was a request for a vending permit from the town to operate a hot dog cart at Shepard Park.
 16 Friendly Franks, operated by Frank Finocchiaro, has received all of their state licensing. The board
 17 suggested the cart be located on the grass between the asphalt and the fence at the park during town
 18 events. If the vendor wants to operate in other public places, they must come back before the board for
 19 approval. The board approved the request.
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21 **5. TOWN ADMINISTRATOR REPORT:**

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 23 **a) Souhegan Valley Chamber of Commerce – 2013 Business of the Year Award -** Guy Scaife stated this is
 24 a nice recognition for the town. The Chamber serves eleven (11) communities and the award could have gone to
 25 any large business within the region and they chose Milford. Other awards presented by the Chamber are Small
 26 Business, Business Leader and Volunteer of the Year. Milford was selected for its leadership and activities within
 27 the region, its respectfulness to its employees and for its customer service and pro-business attitude and is a model
 28 for other communities. He noted he and Chairman Daniels will be attending the banquet on June 6, 2013.
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30 **b) Miscellaneous: Souhegan River Watershed -** Guy Scaife indicated there was a DES presentation last
 31 week in the banquet hall and noted they will be starting an assessment of the Souhegan River Watershed and flood
 32 prone areas on June 3, 2013. This is a coordinated effort to collect data in areas that are prone to flooding with re-
 33 gard to safety, health and erosion. The full report will be available in the fall and the data will be used to prepare for
 34 and limit potential damage in these areas during extreme weather conditions. The NH Geological Survey has maps
 35 that show the change in the river over the years due to straightening for sending logs down the river to oxbows that
 36 form over time. Chairman Daniels asked if this would result in state mandates for the town. Mr. Scaife replied this
 37 process was only to identify areas prone to damage and to educate people about what to anticipate during extreme
 38 weather conditions.
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40 **Auditors –** Mr. Scaife indicated auditors were here last week and their work is finished; all went well. They
 41 noted the records kept by Kathy Townsend (payroll); Kathy Doherty (tax collector) and Lisa Carl (accounts receiva-
 42 ble and payable) were very complete and accurate. He noted the hard copies for 2011 were available.
 43

44 **Senate Bill 617 –** Mr. Scaife noted the Senate did not pass this bill last week. Bill 617 involved user fees asso-
 45 ciated with the purchase of gas and diesel. This item is dead this year and there is no viable alternative suggested,
 46 other than raising property taxes to generate additional funds. This bill would have brought \$1 million to Milford for
 47 bridge and road improvements. He suggested the townspeople contact their Senators to get insight for alternative
 48 suggestions.
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50 **Bill to limit Dredging Permit Fees –** Mr. Scaife noted the bill proposed by Chairman Daniels passed the
 51 House and Senate. This bill is to limit permit fees for dredging. The town can now fill out the dredging permit for
 52 Osgood Pond and he anticipates they can begin dredging during the winter. Fish and Game suggests dredging 3-5
 53 acres to allow for a deep and a shallow area for wildlife. The cost is estimated to be \$175,000 to do this and the
 54 town has just under \$100,000. Chairman Daniels noted the effective date of the bill is July 1, 2013. Chairman Dan-
 55 iels also stated that some discussion should take place to determine if there was benefit in filing to dredge a larger
 56 area than the 3-5 acres planned so that the town would not have to spend another \$10,000 in permit fees if the town
 57 wished to expand the dredging area during the timeframe in which the permit was valid. Selectman Putnam asked if
 58 it is possible to get everything in order to start dredging over the winter. Mr. Scaife indicated Fred Elkind (Conser-
 59 vation Commission) and Bill Parker (Community Development Director) think it is possible.

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6. DISCUSSIONS.

- a) **Request for Nominees to Serve as Milford’s Representative on the Nashua Regional Planning Commission.** Chairman Daniels noted Andy Seale had resigned from the Commission and the town is looking for an additional member to join Janet Langdell and Chris Costantino. He asked the board to submit suggestions for good candidates at the next meeting.
- b) **2012-2013 Board of Selectmen Goals / Tasks Review and Board of Selectman’s 2013-2014 Goals / Tasks Development.** Chairman Daniels appreciated the report from EDAC and Bill Parker, which went a long way toward the board finishing those specific goals.
- c) **Draft Board of Selectmen’s Policy Regarding Administration of Committees, Commission and Special Boards.** Chairman Daniels began with Section 3.c, Group Basics, Appointment and Reappointment of Members. He noted Library and Cemetery Trustees are elected and wanted to add language to exempt elected positions.

7. SELECTMEN’S REPORTS / DISCUSSIONS.

- a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** There were no items to discuss
- b) **OTHER ITEMS (that are not on the agenda).**

8. APPROVAL OF FINAL MINUTES. Selectman Putnam moved to approve the minutes from April 29, 2013 as presented. Selectman Bauer seconded the motion. All were in favor. Motion passed 4/0/1 with Vice Chairman Fougere abstaining.

9. INFORMATION ITEMS REQUIRING NO DECISIONS. Treasurer’s Report – April 2013.

10. NOTICES. Notices were read by Chairman Daniels.

11. NON-PUBLIC SESSION. Selectman Federico moved to enter into Non-public session at 8:43 pm in accordance with RSA 91-A:3 II (a, b, c, d & e) – personnel, legal, reputation and land acquisition. Selectman Bauer seconded. All were in favor. Motion passed 5/0. After discussion, Selectman Putnam moved to come out of non-public session. Selectman Federico seconded. All were in favor. Motion passed 5/0. Chairman Daniels announced that in non-public session the Board approved two sets of NPS minutes (April 22 and May 13, 2013) and discussed personnel, reputation, legal and land acquisition issues. No decisions were made and no votes were taken other than the approval of NPS minutes.

12. ADJOURNMENT: There being no further business to come before this Meeting, Selectman Putnam moved to adjourn at 11:02 p.m. Selectman Federico seconded. All were in favor. Motion passed 5/0.

Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Kevin Federico, Member