

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
November 12, 2013

PRESENT: Gary Daniels, Chairman
Mark Fougere, Vice Chairman
Katherine Bauer, Member
Kevin Federico, Member
Mike Putnam, Member
Guy Scaife, Town Administrator
Darlene J. Bouffard, 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 5:30 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.

2. APPOINTMENTS:

5:30 p.m. – Departmental Update – Ambulance Department. Ambulance Director Eric Schelberg provided the Board with an update of the ambulance department since last year. Most of the recent activity has been in the area of personnel and infrastructure, being the new facility. Construction began in April 2013; it is progressing on time and within budget. As of tonight, the department is two weeks from taking ownership of the building. There is very little exterior work yet to be done. In the area of personnel, there have been three full time employees that became trainer certified. By the end of November the two ambulances that were ordered should go to the sales company for decals and the town should take delivery on December 11. In house training will be taking place once the new ambulances are received. Director Schelberg indicated the town paramedics and staff became RSI (Rapid Sequence Intubation) certified in June and August this year which will allow assistance to patients to receive advanced airway management. Selectman Putnam asked if there is an impact on the liability insurance with the RSI implementation? Guy Scaife responded that there is not. Director Schelberg said we have gone through all of the requirements. Vice Chairman Fougere asked if this is something for which the call is made in the field. Director Schelberg said yes, the call is made in the field as to whether or not RSI is required; there is a lot of training involved in this procedure. By the end of 2013 or January 2014, Director Schelberg indicated that it is anticipated that the current MMC Emergency Room will change to an Urgent Care facility, which should not affect the ambulance service. Director Schelberg believes a lot of people that currently go to MMC will still go to MMC and the transfers will still be required. Based on analysis, Director Schelberg does not see much of a change in call volume. Vice Chairman Fougere asked if the St. Joseph facility received their variance. Selectman Bauer said they did. Director Schelberg said they will take down the existing building and rebuild a new Urgent Care facility.

Director Schelberg indicated the department is on course to achieve all anticipated goals for 2013. Through October, the call volume is up 9.3%, it has been a very busy year. Director Schelberg asked if there were any questions. Vice Chairman Fougere asked how the volunteers are doing. Director Schelberg answered it is up and down and is cyclical; this year we saw a lot of people walk away; right now the department has two new people and there are three more under contract and then two more that have approached the department with interest. They do not go into service immediately but in about 12 weeks we should get 2-4 more EMTs. Director Schelberg said there will be custom work still being done at the new facility; Selectman Putnam asked if the new people bring the department up to full staff? Director Schelberg indicated there is no magic number for volunteers, it is a challenge. Milford allows non-resident staffing, we have good equipment and we stay at the forefront of technology. Selectman Bauer asked when the open house for the new facility will be held. Director Schelberg responded it should be December 14 in the afternoon, we want to be sure the facility construction will be complete; we should know in a week or so for sure. Vice Chairman Fougere added if that date slips, we will wait until after January 1 for the open house. Selectman Federico asked about call volume, asking if it is anticipated the call volume will drop? Director Schelberg responded that is possible, people might want to be seen instead of driving all the way to Nashua. Chairman Daniels asked how the Affordable Care Act may affect the department. Director Schelberg indicated people do not know how it is going to play out. More people may be covered that were not covered before; Medicaid should not cut back any more so we may get a little bit more paid. Selectman Bauer said the Ambulance Department has a won-

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derful reputation in town, the ambulance facility has been waiting a long time, and people are waiting for it to open. Director Schelberg said it is nice for the staff to actually see it and get excited; however there is still a lot to be done. Director Schelberg said they are very grateful for the support they have received from the community. The Board thanked Director Schelberg for the update.

5:45 p.m. – Departmental Update – IT Department. Bruce Dickerson, IT Director, thanked the Board for having him in to provide an update of the happenings in the IT Department over the last few months. Mr. Dickerson has been busy updating all of the hardware and now the applications. The virtual server infrastructure has been in process of upgrade, from Exchange 2003 to Exchange 2010. Mr. Dickerson has been utilizing services from Microtime Computers out of Amherst to assist him with updates and for backup; this service is being used 1 or 1.5 days per week. The phone system is being migrated to Bayring for phone and data connectivity since the contract with Earthlink has expired. Selectman Putnam asked if the savings from changing to Bayring are guaranteed. Mr. Dickerson said he looks forward to the savings. Chairman Daniels asked if there are still departments in town that need to be converted to the VOIP phone system. Mr. Dickerson said the Department of Public Works (DPW) still needs to migrate, which is planned for early next year. He also noted the Fire Department would like to have a better fire alarm capability, so if we can find a better cable, connect the buildings and make everything quicker and better; he would like to do that. In order to move forward with ARC we need to get all the departments an ARC server. Mr. Dickerson would like to get wireless for town hall and is hoping that will happen in 2014, however, it will not be cheap and we have to come up with a system to keep the Library wireless separate from the Town Hall wireless.

3. PUBLIC COMMENTS (regarding items that are not on the agenda). Chairman Daniels recognized the public asking if there were any public comments. Chuck Schelberg, Ledgewood resident, asked if the Board will have any discussions tonight on the traffic problem on Tonella Road and Nashua Street. Chairman Daniels responded there is nothing on the agenda to have that discussion tonight. Mr. Schelberg stated that just because it is not on the agenda does not mean it will not be discussed. Chairman Daniels will provide the board with an update of what occurred at the Traffic Safety Committee meeting last week, but that is all that will be discussed on that subject tonight.

4. DECISIONS

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

1) Approval of Unanticipated Revenues and Gifts Under \$5,000 (RSA 31:95 b & e). The listing of unanticipated revenues under \$5,000 was reviewed as follows:

Source	Amount	Purpose
Cirtronics Corp.	\$ 250.00	Donation to the Milford Fire Department. The Milford Fire Department wishes to designate the monies to the Fire-Life/Safety Education Special Purpose Fund.
Denise and Ray Long	\$ 25.00	Donation to the Milford Fire Department. The Milford Fire Department wishes to designate the monies to The Fire-Rescue Donations Special Purpose Fund.
Milford Recreation Comm.	\$1,050.00	Brick fundraiser monies to be used for the Keyes Pavilion Special Purpose Fund.
Milford Lumber Company		Donated materials at cost to be used for the Keyes Pavilion Special Purpose Fund, valued at \$373.93.

This request was approved.

2) Request to Approve Land Use Change Tax (Map 45, Lot 17-2 and Map 51, Lot 3-6) and Annual Sales Report. Marti Noel, Town Assessor, requested approval of Land Use Change Tax for 117 Mile Slip Road in the amount of \$5,200 and for 0 Cadran Crossing in the amount of \$6,000 for new construction. This request was approved. Marti Noel, Town Assessor, also requested Board concurrence for the 2013 Equalization Municipal Assessment Data Certificate to be submitted to the Department of Revenue Administration (DRA). This request was approved.

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- 1 3) **Request for Acceptance of Property Tax Warrant – Second Half 2013.** Kathy Doherty, Tax Collector, requests approval of the second half 2013 Property Tax Warrant with the total net tax commitment for the second half of 2013 of \$18,000,371.67. This request was approved.
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- 5 4) **Request for Approval of Proposed 2014 Budget & Bond Public Hearing and Deliberative Session Dates.** The following dates were approved by the Board of Selectmen:
- 6 Monday, January 13, 2014 (6:30 p.m. following the regular Board of Selectmen meeting in the Board of Selectmen meeting room)
- 7 Saturday, February 1, 2014 (9:00 a.m. in the Town Hall Auditorium)
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- 11 5) **Request to Authorize Town Administrator Guy Scaife as Signatory Agent for the 29 Nashua Street Property Purchase.** The Board of Selectmen authorized Town Administrator Guy Scaife as the signatory agent for the purchase of the 29 Nashua Street property (map/lot 26/154), which was approved by the Board of Selectmen at the Monday, September 30, 2013 Board meeting.
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16 **b) OTHER DECISIONS.**

- 17 a. **Approval of Milford Area Communications Center Contract.** Selectman Putnam moved to approve signing the MACC Base contract as presented. Selectman Federico seconded for discussion. Selectman Bauer asked has anything changed in the contract. Chairman Daniels said nothing has changed. Selectman Bauer indicated there is a paragraph in the contract about MACC Base having a budget committee and Selectman Bauer is not sure if that has all been followed and it should be taken out if it is not being followed. Selectman Putnam said he will check on that but he believes that is being followed so it should stay in. Guy Scaife asked about the outstanding money from MACC Base and if they will be refunding or if it will just sit there; there is about \$33,000 that Milford should have had back in June. Selectman Putnam has not met with the Board of Governors (BOG) since the last time it was discussed at the Board of Selectmen meeting, but there is a BOG meeting tomorrow night and he will bring that up. The latest software update will also be discussed tomorrow night. Guy Scaife said this was a plan that was supposed to be done, it is important and we still do not know what the limitations of the equipment are. Why has there been a delay? Selectman Federico indicated there is a meeting scheduled for November 21 to discuss those issues. This reserve was to pay for the software upgrade. The answer is that, we are getting clarification about the software upgrades and this money at that meeting. Chairman Daniels asked if MACC Base has their meeting and decides the software will not do what they want it to do, can MACC Base get it anyway? Selectman Putnam said they can with the Board Of Governor’s and the Budget Committee approvals. Chairman Daniels said if the Milford Police Chief does not want the upgrade, can our representative vote against it at the BOG meeting and the percentage of Milford’s money can come back? Selectman Putnam said that can be done. Vice Chairman Fougere said the software costs should be paid out of the surplus which is more than what the cost of the software is. Guy Scaife has a problem with how the leftover money is split up, which is an unknown. Selectman Putnam said the BOG meeting is November 21 at 9 a.m.
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42 **5. TOWN ADMINISTRATOR REPORT:**

43 a) **Financial Update.** Mr. Scaife indicated that he has met with the Budget Advisory Committee (BAC) and reviewed the preliminary overview numbers; the biggest area of increase is the DPW which is driven by projects. Guy Scaife is meeting with DPW Director Ricky Riendeau to refine the numbers and see if we can pull some things into 2013. By next Monday, Guy Scaife hopes to have the first pass on revenue. Office of Community Development revenues and Town Clerk vehicle registration revenues are looking good and exceed the plan for this year. Vice Chairman Fougere asked when Guy Scaife thinks the Board of Selectmen can start talking about the budget. Guy Scaife wants to have the revenue numbers and Jack Sheehy is currently working on a default budget. Guy Scaife received notification from an attorney that represents a resident about the police officer that allegedly injured the resident while assisting her getting out of bed. That has been sent to our liability insurance. The complaint came in through the police department. The Police Department found no merit to the claim. Vice Chairman Fougere asked if this was during an arrest. Guy Scaife said no it was a call for assistance.

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48 b) **Miscellaneous.** SMP has completed the mechanical, electrical, plumbing and HVAC plans to be done with the town hall renovation. A meeting with SMP is scheduled for Wednesday to go through those plans to see if we see any obvious errors. After that, we will get the plan to the Facility Committee. This is to get an estimated price. Chairman Daniels asked if that work session will be televised. Guy Scaife answered that it is just a session with two

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1 people and then it will go to the Facilities Committee who will then discuss it. Tomorrow night is the Fire Department meeting with the Budget Advisory Committee at 6:30 p.m.

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3 The Grugnale Property with the contamination is being investigated, Fred Elkind and Guy Scaife have a meeting with DES tomorrow to get some legal advice, and we think we are in a good position about the next step. Bill Parker met with Ryan Bigelus about the old police station and the Brox property. We are working with a consultant to assist us in determining what the legal deed restriction will be on the old police station lot. This must be determined so that a developer will have a clear understanding of the development restrictions. Vice Chairman Fougere asked about what the restrictions are on that site, he does not understand all of the details of that. Guy Scaife indicated that the contamination went into the soil then into the aquifer but the vapors are coming up. A building foundation would have to have a vapor restriction and vapor release. The developer had planned to have commercial in the front and residential in the back of the property but it is an issue of vapor.

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8 The Recreation Director, Nicole Banks, has given her resignation for another career opportunity, so her family will be re-locating. She has full time staff to assist her and she has grown the program in many ways. Guy Scaife congratulates Nicole on this opportunity. There were no further questions for Guy Scaife.

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16 **6. DISCUSSIONS.**

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18 a) **Request from Brox Environmental Citizens Group to be a member of the Committee Updating the Brox Community Lands Conceptual Master Plan.** Guy Scaife explained the letter from Suzanne Fournier on behalf of the Brox Environmental Citizens group, which requests that the group be added to the newly re-formed Brox Community Lands Committee, which was turned down by Bill Parker, Community Development Director, and Janet Langell, Planning Board Chair. Upon this refusal, Ms. Fournier requested that the Board of Selectmen intervene. The Brox Community Lands Committee is being re-formed in order to update the 2005 Brox Community Lands Conceptual Master Plan. The original committee, formed in 2005, laid out the future operational needs for town use. As part of the standard mission of land planning, they developed it as part of the Master Plan. A wetland delineation was recently done on the property; a new committee was appointed by the Planning Board and is made up of several different viewpoints. By statute, the town has a Conservation Commission that represents the conservation interest on behalf of the town. Bill Parker and Janet Langdell explained to Ms. Fournier that they will have the committee make up remain the same as it was in 2005. The letter from Mr. Parker and Ms. Langdell turned down her offer to have the Brox Environmental Citizens group on the newly re-formed Brox Community Lands Committee. Guy Scaife said this is a Planning Board issue and unless the Board of Selectmen wants to overrule their decision, it should remain as is. Public meetings will be posted and the public can attend and participate.

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35 Selectman Putnam moved to appoint the Brox Environmental Citizens group to the Brox Community Lands Committee. There was no second therefore the motion failed. Selectman Putnam moved to deny the request for a seat on the committee. Chairman Daniels asked if this Board should deny or just leave it up to the Planning Board. Selectman Putnam amended the motion to leave the decision in the hands of the Planning Board. Vice Chairman Fougere seconded. Chairman Daniels indicated the Planning Board decided that the Brox Environmental Group will not be appointed to the Brox Community Lands Committee. Selectman Bauer noted that the public will have plenty of opportunities to know what is going on and if they wish to provide information they will have plenty of opportunities to do that. Vice Chairman Fougere supports the Master Plan update and supports the Planning Board making this decision. Four were in favor, with Selectman Putnam having stepped out of the room. Motion passed 4/0/1 with Selectman Putnam abstaining.

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47 Vice Chairman Fougere requested that the Warrant Article that had expired in 2012 for the Brox property materials should be started in order to put it on the March ballot.

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50 b) **Board of Selectmen Goals / Tasks Review and Board of Selectman's 2013-2014 Goals / Tasks Development.** An update of this listing was sent out to members as well as the updated Administration of Commissions, Committees and Special Boards policy. Chairman Daniels indicated that these documents will be discussed at the next Board meeting. If any member has input, please provide it to Chairman Daniels and it will be incorporated for review.

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

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1 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Vice Chairman
2 Fougere stated the ambulance facility grand opening is tentatively planned for December 14 in the after-
3 noon (3-4 hours window) about one o'clock since SHARE has an event in the morning and their parking
4 will be utilized. Vice Chairman Fougere mentioned that the Recreation Department is currently working
5 on the warming hut for the skating rink. Vice Chairman Fougere wanted to thank two individuals Paul
6 Hemerich, architect, who drew up some plans and Chad Brannen from Fieldstone who did some shots for
7 us on the grading and assisted with the site plan and donated their time in this effort. That's what makes
8 Milford great, so thank you.

9 Chairman Daniels explained the Traffic Safety Committee (TSC) met this afternoon to discuss the
10 Phillip's Way situation, two of the previous meeting had not been properly posted so the TSC was going to
11 meet again to re-vote. Because both meetings had not been posted, Chairman Daniels thought they should
12 be re-held and be properly posted. The first re-hearing will be held November 18 at 3:30 p.m. in the Ban-
13 quet Room of Town Hall and it will be a public hearing to consider the direction of Phillip's Way, to also
14 lower the speed limit to 25 mph and have no trucking signs. All three items will be addressed. The peti-
15 tions will also be addressed at that meeting. Chuck Schelberg asked what time is the meeting. Chairman
16 Daniels said it is at 3:30 p.m. on November 18 and there may be a work session immediately following that
17 meeting. Chairman Daniels asked that it be posted on the website as well as in the usual posting locations.
18 At the upcoming meeting, Chairman Daniels explained that the two sides (Ledgewood and Prospect Street)
19 will provide information about this situation. Selectman Federico asked if there is a reason the meeting is
20 at 3:30 p.m. Chairman Daniels responded that was due to availability of TSC members, most of which are
21 staff. The previous meetings were also at 3:30 p.m. in the afternoon. Selectman Bauer summarized that it
22 is a public hearing with testimony and there might be a work session afterwards, and it is open to the pub-
23 lic. Guy Scaife said the TSC is made up of people that have other jobs, it is important that people under-
24 stand that there are several things that went wrong, there are some hurt feelings in the community, and
25 things have happened that cause distrust, we need to fix that and we need to make sure this gets a thorough
26 review. Chairman Daniels stopped Guy Scaife from speaking further, as it may get into information that
27 should be stated in the public meetings with the TSC. Guy Scaife said it is regarding the process and there
28 were things done that were illegal that need to be corrected and not happen again. This board needs to give
29 clear directions to the TSC so that we do not run the risk of repeating what has already happened several
30 times. This Board needs to be sensitive to the citizens who have lost faith in this process.

31 Selectman Bauer asked what other issues there were. This has become a big issue and she would
32 like to know what those issues are. Chairman Daniels said he is more interested in the illegal proceedings
33 that had gone on. Selectman Putnam said that is troublesome. Vice Chairman Fougere indicated that eve-
34 ryone needs to know that Guy Scaife lives up in Ledgewood, so he has that perspective and everyone needs
35 to know that. Selectman Federico asked what can be considered illegal, the posting? It did not happen
36 twice, now there is a date and we are in public session and stated the meeting will be public on the date.
37 Chairman Daniels said that Ellen Works is posting this meeting as soon as this meeting is finished tonight.
38 Selectman Bauer asked what other illegal or improper things were happening? Guy Scaife said the first
39 meeting was not posted, but it was communicated that it would begin at 4 p.m.; there was an intentional
40 early start prior to 4 p.m. and department heads were requested to give reports. The Police Chief was asked
41 to give an accident report. Community Development Director Parker was asked for development infor-
42 mation. Chairman Daniels provided information as well. It was stated it would be done before the meeting
43 started. The information was pertinent information that the residents of Prospect Street and Ledgewood
44 would have wanted to know. To initiate that before the meeting started is illegal. Guy Scaife thinks it was
45 not intended to be illegal but the people attending want to know what the basis for the discussion is. The
46 second meeting was not posted but some residents of Prospect Street received a call notifying them of the
47 meeting, but no one from Ledgewood was notified. There was not any malicious intention but how is it
48 viewed by the public? The TSC was handed traffic study information from 1999 and 2000. Selectman
49 Federico asked if that is what started the meeting 30 minutes early? Will the public have the opportunity to
50 get that information? Chairman Daniels stated that the TSC Chair had scheduled a work session at 3:30
51 p.m., with a public hearing at 4:00 p.m. Because the meeting was erroneously not posted, very few of the
52 public knew. Chairman Daniels suggested it would be a good idea to review any information that was
53 background information. Selectman Federico thinks that information should be part of cleaning up this sit-
54 uation, from the 30 minute work session. When the Board of Selectmen gets a recommendation from the
55 TSC, they get all of the information provided in the work session.

56 Walter Unda, Gerry's Way, said the timing of the meeting is questionable; it was posted for 4:30,
57 then the next day, it was changed. Chairman Daniels said for each group there should be a contact person
58 so that if the information changes they can get that update. All meetings are subject to change. Mr. Unda

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1 asked if meeting times can change. Chairman Daniels said the meeting time changed because there were
2 three issues to discuss not just one. Mr. Unda asked where the information from that 30 minute work ses-
3 sion is and is it available to the public? Are there minutes from that meeting? Chairman Daniels said there
4 are no minutes from that work session because it as not a properly posted meeting. Selectman Bauer indi-
5 cated in the upcoming meeting could there be a review of the things like the 30 minute work session? Will
6 those facts be recorded. Chairman Daniels will pass on that information to the Chair so that the 30 minute
7 information will be recorded. Selectman Putnam asked who is the Chair of the TSC. Chairman Daniels
8 said it is Gil Archambault.
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10 **b) OTHER ITEMS (that are not on the agenda).**

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12 **8. APPROVAL OF FINAL MINUTES.** Selectman Federico moved to approve the minutes of October 14, 2013
13 as amended. Vice Chairman Fougere seconded the motion. All were in favor with Selectman Putnam abstaining.
14 Motion passed 4/0/1. Selectman Federico moved to approve the minutes of October 28, 2013 as amended. Select-
15 man Putnam seconded the motion. All were in favor. Motion passed 5/0.
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17 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**

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19 **10. NOTICES.** Notices were read by Chairman Daniels.
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21 **11. NON-PUBLIC SESSION.** Selectman Bauer moved to enter into Non-public session at 7:20 p.m. in accord-
22 ance with RSA 91-A:3 II(a,c&d). Selectman Federico seconded. All were in favor with none opposed. Motion
23 passed 3/0/2 with two abstaining, as Selectman Federico and Selectman Putnam were out of the room. After discus-
24 sion, Selectman Putnam moved to come out of non-public session at 7:45 p.m. Selectman Federico seconded. All
25 were in favor with none opposed. Motion passed 5/0. Chairman Daniels announced that in non-public session the
26 Board approved non-public minutes of October 14, 2013 (2 sets) and one set of non-public minutes of October 28,
27 2013 (reputation). Selectman Putnam moved to re-seal all of the non-public minutes reviewed this evening. Vice
28 Chairman Fougere seconded. All were in favor. Motion passed 5/0.
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30 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to
31 adjourn at 8:00 p.m. Selectman Federico seconded. All were in favor with none opposed. Motion passed 5/0.
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36 Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

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41 Katherine Bauer, Member

Kevin Federico, Member

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46 Mike Putnam, Member
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