

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
February 10, 2014

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
Niko Giokas, Videographer

1. CALL TO ORDER, BOARD OF SELECTMEN INTRODUCTIONS & PUBLIC SPEAKING INSTRUCTIONS: Chairman Daniels called the public meeting to order at 5:30 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.

2. APPOINTMENTS:

5:30 p.m. – Request for Approval of three 2013 Property Abatements Map/Lot numbers 41/89, 53/40 and 25/150. Marti Noel, Town Assessor, explained there are three property abatements that were processed before the equalization ratio was set last week. The 2012 ratio was 102.9, and 2013 was 102.1 which shows the market is rebounding a little. Vice Chairman Fougere asked if that ratio goes over a certain number, does that drive a revaluation. Ms. Noel said it can if it goes over 10%. Vice Chairman Fougere confirmed if it is off 10% either way, the DRA gets nervous? Ms. Noel said that is correct, when she went out to the property, it was found that the property had a significant amount of damage. This is one year abatement. The property is being brought up to speed and will soon be lived in. The other two abatement requests had incomplete data on the inside of the home. Ms. Noel recommends approval of all three. Selectman Putnam moved to approve the abatement requests as recommended by the Assessor. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

5:45 p.m. – Departmental Update – Finance. Jack Sheehy, Finance Director, prepared a presentation that can be accessed on the town website. Mr. Sheehy indicated the Finance department processed \$44.9 million in receipts. What is coming up in 2014 includes the Dash Board in Munis which will give management a snapshot of where the department is financially during the year. Mr. Sheehy worked with the dashboard; the intent is to get it up and running to train operators and personnel. He is also looking to improve the credit and debit card payments, which will be brought to the town in 2014; it is already being used by Recreation. There will be some restrictions to this ability, for example, Visa restricts utility payments over the counter. There will also be fees associated when making a payment, for stores, that fee is absorbed in the profit margin but for a municipality we cannot do that. There is also a \$1.50 fee as well as a percentage of the transaction.

Chairman Daniels asked what the current interest rates are. Jack Sheehy responded they are very, very low, it is currently better to leave money in the checking account to offset the fees banks charge. It is frustrating, it is a piece of revenue that the town was getting before and now does not get it. Mr. Sheehy is always harassing the banks about the interest but it is just not happening anytime soon, however borrowing is also down. Vice Chairman Fougere asked if we have a way to track how old uncollected taxes are. Mr. Sheehy said in 2013 the taxes gone past the due date were sent a delinquent notice. Those notices went out today, then in April we go to lien by sending a letter to the taxpayer notifying them that the property will go to lien. After an additional two years, we can deed the property. By that time, there are very few that get that far. The lien notice gets their attention. For a town, it is surprising how little lien activity we have. We have deeded one or two properties since Mr. Sheehy has joined Milford. Two or three years ago, there was a property that was taken but it was returned within 30 days. So if someone misses the second date of taxes due, Chairman Daniels asked if it is a 12% interest rate. Mr. Sheehy answered yes, and we are required by law to notify the mortgagees and that sometimes takes care of some of them. After six months, the interest rate jumps to 18%. All notifications are sent by certified, return receipt. There were no further questions.

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1 **6:00 p.m. – Fire Department ISO Update.** Captain Jeff Marshall and Captain Jason Smedick explained the pro-
2 cess the Fire Department has been working on for about ten years and has been very active with it in the past three
3 years. Insurance Services Offices (ISO) rates Fire Department activities as far as fire protection. Today the insur-
4 ance companies have a map of computer based formulas that the insurance companies use for insurance rates. ISO
5 is the biggest one out there, they do everybody every five years and people come in and check things, on fire protec-
6 tion; they are just looking at fire home owners insurance. We looked at it so that the Fire Department could be run
7 well for the town but also keep an eye on the ISO. Half of Milford is within a hydrant district and half is not. That
8 requires the Fire Department to approach ISO differently in the two different districts. There were some weaknesses
9 in what we were doing about five years ago. Engine 4 was important because it has a bigger pump and holds more
10 water. We looked at the non-hydrant district a little differently, we had to prove we could do this; we went through
11 it three times. Going through this, we saw the strengths and weaknesses. The Fire Department worked with both
12 the Water Utilities Department and Dispatch services. This was a partnership with all of the different departments.
13 Milford has been rated a 4 in the hydrant district for ten years, an average rating; we wanted to get our rating to a 3.
14 We accomplished that in 2013. In the non-hydrant district we went from an ISO rating of 9 to a 4. We did not real-
15 ize that we could get the rating that good. There is no other department in NH with a rating of 4 for an out of hy-
16 drant district. This goes into effect April 1. People can share this with their insurance company and it could possi-
17 bly lower their insurance costs. Captain Marshall wanted to bring this up today to let the Board of Selectmen know
18 about it and that it will be on the front of the Voter's Guide. The Water Utilities Department has done a fabulous
19 job and received a high rating as well; they are a special department from a fire fighting standpoint.

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21 Selectman Federico stated Milford has a better rating for firefighting in the state than some full time firefighting
22 departments. Vice Chairman Fougere noted that fighting fires requires good equipment and equipment is very ex-
23 pensive but it is very, very important. It has a very important job and the voters should understand that yes, it is
24 expensive, but there are benefits. Selectman Federico said this Board is very proud of the town's Fire Department
25 and all of the work that is put into it. Guy Scaife is also very impressed with this, typically we hear from full time
26 staff, but seldom do we hear from call firefighters, and this shows the dedication of our call force, this is a very stra-
27 tegic long term project that affects all residents of Milford. Chairman Daniels suggested that people should not ex-
28 pect that they will hear from their insurance companies but should contact their insurance companies after April 1,
29 2014 to notify them of the new rating. Captain Marshall added that the ratings will be on the website and will pro-
30 vide the documentation that can be used for insurance companies; this is the foundation to having inexpensive fire
31 insurance rates. There were no further questions.

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33 **6:15 p.m. – Possible Solutions for Playing Fields in Milford – Sports/MCAA.** Dan Ayotte, MCAA Soccer Di-
34 rector, and Kevin Doyle, MCAA Director, wanted to briefly talk to the Board about the status of fields in town, pri-
35 marily flat field space for sports, the existing fields are in rough shape, and we are trying to come up with solutions.
36 Also of concern is the current status of fields and if something were to go down with the EPA clean up, it would put
37 pressure on the other fields. The report has not changed since the last time the fields were discussed. Mr. Doyle
38 said the field turf and the way the fields are kept up is important due to the increase of concussions, etc. Mr. Doyle
39 indicated that Brad Knight would like to talk about a potential solution to this problem.

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41 Brad Knight, Upham Road Amherst, indicated he would like to talk about a potential solution to the problem of field
42 space. He owns a 60-acre parcel on Stearns Road in Amherst, purchased about three years ago. Mr. Knight feels
43 this is a perfect place for fields in town. He does not use chemicals or pesticides on the grass; the zoning in Amherst
44 is so restrictive that only a town can use the property. Amherst parents will be forced to cancel programs because
45 Cemetery Fields is no longer available in September. A town can use this property, but Amherst cannot use it due to
46 restrictive zoning. Mr. Knight proposes to get kids playing on the fields this spring. The annual cost of \$1 for Mil-
47 ford to lease the land would allow Milford kids to use the fields and the events would generate some fees which
48 would go to Milford. Mr. Knight further explained there is parking for 500 cars on site. Mr. Knight estimated a cost
49 of \$200,000 to fully develop a new field. This is a lot of information, but if the Board thinks about this, and agrees it
50 is a good idea, this will solve the field problems for Milford and for Amherst. Mr. Knight said the zoning in Am-
51 herst is so restrictive it is ridiculous. The fields would have to be leased to a town because of the statute.

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53 Vice Chairman Fougere said he was at the Amherst Planning Board meeting when Mr. Knight presented his pro-
54 posal to Amherst; the school was going to be the one leasing. Mr. Knight said no, they wanted me to talk to the
55 Board of Selectmen, because Cemetery Fields goes away in September and they are thinking about selling the fields
56 to themselves. Amherst does not want to rent the land. There have been two moves to own fields in the last 20
57 years in Amherst. Vice Chairman Fougere said there were a lot of abutters there with lots of concerns. Mr. Knight
58 is coming to Milford before March so we can get something in place. He has not put together anything with MCAA

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1 yet. If we can sit down with them, we can take care of that. It makes sense. Vice Chairman Fougere said the night
2 he attended in Amherst, there was someone from the school board, and he asked does the school vote under the
3 same RSA or does it have to be a town? Mr. Knight said it has to be a town, not a representative of a town. Vice
4 Chairman Fougere asked if it would have to come from the Board of Selectmen? Mr. Knight said no, we would
5 have a lease signed with the Town of Milford, then we have an information meeting and get with Planning in Am-
6 herst, but it is not an application. Vice Chairman Fougere asked why can't Amherst do that? Mr. Knight said they
7 can, but they don't want to, they want to own the property. If we can get Lacrosse on some fields, they will be all
8 set even without Cemetery Fields. Amherst Lacrosse wants to play out there. Chairman Daniels asked about lights.
9 Mr. Knight said if you want lights, you can get temporary lights. Chairman Daniels remembers that adding lights
10 can be a problem. Mr. Knight said the property is in the flood plain so one of the abutters brought up that it can
11 flood, but we have not had a flood in three years since we've owned it. This definitely takes a little bit of thought,
12 but the end result will be the kids have fields to play on. Mr. Knight has met with the MCAA Board and Recreation
13 and wanted to talk to the Board of Selectmen to see if there is interest. The lease he is expecting is very basic, in-
14 cludes liability, but is not something he wants Milford to be on the hook. The whole point is to do something for the
15 area; he wants to help with the need for fields. Chairman Daniels asked if there were further questions.

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17 Vice Chairman Fougere supports MCAA and knows Milford needs field space, it is one thing to vote something in,
18 but it is another thing to use the statute to bypass their (Amherst's) zoning. Vice Chairman Fougere would want to
19 talk to Bill Drescher. Mr. Knight said there is nothing wrong with doing this, it would be stepping on toes a little
20 bit, but if the Board is in favor of doing this and we get kids on the fields, who does it hurt? Vice Chairman Fougere
21 asked if Amherst kids can play on these fields now? Mr. Knight said no. Vice Chairman Fougere asked how it
22 would be administered? Mr. Knight said Amherst Lacrosse would lease space from MCAA for fields in Amherst.
23 Selectman Federico said it would be an instant fix, but he would need to think about this, if Selectman Federico
24 were on the MCAA Board, he would totally agree with this. It is awkward when Mr. Knight is coming to Milford
25 about leasing fields that are in Amherst but then there is an RSA to not have that activity anywhere in Amherst. At a
26 minimum, Vice Chairman Fougere would want to have a conversation with the Amherst Town Administrator and
27 Planning Board. The majority of the Amherst Planning Board is in favor of playing fields, said Mr. Knight. Vice
28 Chairman Fougere said we should talk with Sarah Marchant, the Amherst Town Administrator and the Planning
29 Board, prior to making any decisions. Mr. Knight said the important thing is that it will be for Milford and Amherst
30 people to use the fields. In March the voters might allow the playing fields. Chairman Daniels asked who would
31 maintain the fields? Mr. Knight said he would because he has the equipment. Vice Chairman Fougere said now is
32 the time to talk about this

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34 Tim Finan, Recreation Commission and Brox Land Use Committee, said his first reaction is skepticism, but proced-
35 urally, Mr. Knight spoke with the Recreation Director, not the Recreation Commission, if we do wish to move for-
36 ward, we should get together and be involved (Recreation Commission). The Brox committee also should be in-
37 volved and let the Milford Planning Board know as well. Chairman Daniels asked how it would be defined as "gov-
38 ernment". Mr. Knight said you have assets in town that you allow MCAA to use. The fields would be considered a
39 Milford asset. Chairman Daniels said the statute seems to talk about solid waste disposal facilities. Mr. Knight did
40 talk with Sarah Marchant about this and she said it would be no problem for Milford to lease the property. Guy
41 Scaife questioned the public hearing that Mr. Knight mentioned. Mr. Knight disagreed. Guy Scaife said you are
42 asking this Board to do something that the Amherst boards will not do; however, they have a bigger need than Mil-
43 ford. Guy Scaife does not know why the Amherst Board of Selectmen does not want to lease this property the way
44 Mr. Knight is asking the Milford Board of Selectmen to do. Mr. Knight said if you could talk to your people and
45 mention that we are suggesting that we have Amherst Lacrosse use some of the fields that would be great. If things
46 progress, Vice Chairman Fougere asked if a lease would be drawn up. Mr. Knight indicated that once the lease is
47 signed, MCAA could start scheduling playing times out there. Chairman Daniels said this Board has a few things to
48 talk about with this. Mr. Knight thanked the Board, stating it is a lot to think about and that both towns will benefit
49 from this. Kevin Doyle thanked the Board of Selectmen for allowing this presentation.

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51 **3. PUBLIC COMMENTS (regarding items that are not on the agenda).** Selectman Putnam noted that McDon-
52 ald's is having a grand opening on Saturday morning around 9 a.m. and would like some town officials to be there.
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4. DECISIONS

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

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

Source	Amount	Purpose
Hope Kelly	\$ 25.00	Donation to the Milford Fire Department who wishes to designate the monies to the Fire Rescue Donations Special Purpose Fund.
Dover, Inc.	\$100.00	Donation to the Milford Fire Department who wishes to designate the monies to the Fire & Life Safety Special Purpose Fund.

b) **OTHER DECISIONS.**

5. **TOWN ADMINISTRATOR REPORT:** Guy Scaife indicated the Daddy/Daughter dance over the weekend was a success, it was sold out and nearly 400 people were in attendance. Also of note is that this event brings in people from outside of Milford. The town had an unannounced visit from an Inspector from the Department of Labor. They found that Milford had never had an inspection before so they scheduled an inspection for March 25, 2014. All buildings of the town hall, water utilities, library, etc. will be included. It is something we have never had before. Primex had a special class recently and they will give us counsel on this. It will be a learning experience. The town is facing a critical situation of funding roads and bridge repair. Senate Bill 367 proposes a gas tax again, it is critical and he encourages the Board to invite delegates here and ask how they propose to solve this. The last time the gas tax was raised was in 1992. The State tries to pave 500 miles per year; they are down to 250 miles per year now. It is a severe situation, we have ten and a half cents less per gallon on gas tax than our border states and there has been no alternative proposed in any of the last legislative sessions to fix this. The problem just continues to magnify.

6. DISCUSSIONS.

a) **Warrant Article Discussions.** Vice Chairman Fougere indicated the Budge Advisory Committee did not change their vote on Article 21. The problem with their position is that it is misleading. We have had a plan for Brox for ten years, we do not need a soil study because it does not go out of date, and the soils do not change. The Brox Committee is made up of Recreation, Conservation, MCAA, citizen members, and Planning. Tim Finan, Brox Committee, said the most recent effort had increased what had been done the first time. Vice Chairman Fougere thinks we need to have some information out there and get a letter of support from involved citizens to get the word out about this article. Selectman Federico said we need to make our intentions more clear than we did before. Selectman Federico understands the intention is to have people come in to take the materials and leave the land viable, not a fifteen year mine that continuously runs.

Selectman Bauer said there seems to be a perception that the whole area of Brox would be mined and disturbed. Bill Parker sent out a letter stating that it would be 5-6 acres at a time. Right now, Vice Chairman Fougere said it is about 80 acres; about 12 acres of it are in process now. The concern is when you have a bid to do 5-10 acre increments at a time, there are different water table depths. You cannot dig into the water table; it is done in stages, not all at once. With the BAC, Selectman Bauer said they were not aware of the plan for Brox or the work that was done. Is there a way that we can inform the voters? Vice Chairman Fougere brought the Brox plan to the BAC meeting when he spoke about this and he was there for about a half hour explaining it to them. Vice Chairman Fougere thinks we will need to get information out through the website and letters to the Editor. Tim Finan, Brox Committee, said a lot of work went in this time, we moved a lot of fields so they were in the big open pit. There are hiking trails and biking trails, greenways, we were very careful to get all of that in and keep the fields there. Chairman Daniels asked if there is any interest in buying that material? Vice Chairman Fougere said companies will not be interested in buying material until there is confidence. The permits for gravel pits are not that complicated. Chairman Daniels referenced the need to assess our bridges and roads, and the money that will take, asking if it would be pos-

sible to take some of that material from Brox and sell it to be used for the bridge and road repairs. If we put it on a warrant article, Vice Chairman Fougere said any revenue would go into the General Fund.

b) Board of Selectmen Goals Review 2014. Chairman Daniels asked for feedback on Board goals that he sent out. Vice Chairman Fougere said as far as marketing Milford he would like to add exploring downtown parking; also the town applied for a grant a year ago to have the Rail Trail extend to Brookline. If that Rail Trail could include a paved bike path, he thinks that would bring people to town. Vice Chairman Fougere would like to see facilities and infrastructure on the goals and push South Street; our hands are tied with some things, but he would also like to see the turn lane discussion for Tonella Road on there, that might get resolved but if that does not happen, the Town should look at it. Selectman Bauer suggested adding the Town Hall renovations to the facility infrastructure as well, there is ongoing concern, and we do not want to put the town hall renovation before the Library expansion. Selectman Federico suggested a target date and asked how many years the roads and bridges analysis and repairs will go out. Guy Scaife indicated that Rick Riendeau will present in May what will be done in 2014; the bigger picture is long term which is fluid at the moment. We have to see if we can afford it. The Board should see a bridge analysis within the next 60 days or so to determine which bridges are most critical. Under paving/road repair, Selectman Federico would like to see a value put in there. Selectman Bauer said the DPW Director is developing a cost analysis for widening Nashua Street in front of the St. Joe's extensive renovation project. There is some misunderstanding that St. Joe's was going to pay for that but they are not, so it seems the town will at least explore the town widening the Nashua Street portion at that site. Chairman Daniels said that was brought before the voters years ago and it was turned down. Guy Scaife said Rick Riendeau is trying to validate exactly what the cost would be. St. Joe's will develop their site to accommodate a widening of Nashua Street by the town. They read the documentation and did research back to 1999 when Kaley Park opened, that the town is obligated to widen that road. Rick Riendeau is looking to get a ballpark estimate to widen that stretch. Selectman Bauer said it seemed to be that it would make sense to do both at the same time. We need to talk more about this. Selectman Putnam said the roads are horrible and should come first. Selectman Putnam asked exactly what the town-wide survey of roads does, like does it x-ray the depth of pavement? Selectman Bauer remembers the DPW Director comes in with a plan but does the work on the roads that are in the worst shape.

7. SELECTMEN'S REPORTS / DISCUSSIONS.

a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.

b) OTHER ITEMS (that are not on the agenda). Robert Moulton, South Street, attended this meeting just to see what it was all about, and is impressed with what goes on here. Mr. Moulton said his main interest is education, but this was impressive.

8. APPROVAL OF FINAL MINUTES. Selectman Federico moved to approve the Budget & Bond meeting minutes of January 13, 2014 as amended. Vice Chairman Fougere seconded the motion. Chairman Daniels, Vice Chairman Fougere, Selectman Federico and Selectman Bauer were in favor, with Selectman Putnam abstaining. Motion passed 4/0/1.

Selectman Federico moved to approve the Board of Selectmen minutes of January 13, 2014 as amended. Vice Chairman Fougere seconded the motion. Chairman Daniels, Vice Chairman Fougere, Selectman Federico and Selectman Bauer were in favor, with Selectman Putnam abstaining. Motion passed 4/0/1.

Selectman Federico moved to approve the minutes of February 1, 2014 as presented. Vice Chairman Fougere seconded the motion. Chairman Daniels, Vice Chairman Fougere, Selectman Federico and Selectman Bauer were in favor, with Selectman Putnam abstaining. Motion passed 4/0/1.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

10. NOTICES. Notices were read by Chairman Daniels.

11. NON-PUBLIC SESSION. Selectman Putnam moved to enter into Non-public session at 7:27 p.m. in accordance with RSA 91-A:3 II(a & d). Vice Chairman Fougere seconded. All were in favor with none opposed. Motion passed 5/0. After discussion, Selectman Putnam moved to approve the non-public minutes of January 27, 2014 as presented. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0. Selectman Putnam moved to approve the non-public minutes of February 3, 2014 as presented. Vice Chairman Fougere seconded. All were in

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1 favor. Motion passed 5/0. Selectman Putnam moved to come out of non-public session at 7:45 p.m. Selectman
2 Federico seconded. All were in favor with none opposed. Motion passed 5/0. Chairman Daniels announced that
3 in non-public session the Board approved non-public minutes of January 27, 2014 (personnel) and February 3, 2014
4 (personnel) as presented and discussed a land acquisition issue. Selectman Putnam moved to re-seal the non-public
5 minutes reviewed this evening. Selectman Bauer seconded. All were in favor. Motion passed 5/0.
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7 **12. ADJOURNMENT:** There being no further business to come before this Meeting, Selectman Putnam moved to
8 adjourn at 7:45 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.
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Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

Katherine Bauer, Member

Kevin Federico, Member

Mike Putnam, Member