

APPROVED  
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING  
April 27, 2015

**PRESENT:** Mark Fougere, Chairman  
Kevin Federico, Vice Chairman  
Gary Daniels, Member  
Mike Putnam, Member  
Katherine Bauer, Member  
Mark Bender, Town Administrator  
Darlene J. Bouffard, Recording Secretary  
Scott Schaeffer, Videographer

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

**INSTRUCTIONS:** Chairman Fougere called the meeting to order at 5:30 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Fougere indicated 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 Appointment of David Hammer to the Economic Development Advisory Council (EDAC) as a New Member.** Chairman Fougere asked that Mr. Hammer join the Board at the table for this discussion. Chairman Fougere thanked Mr. Hammer for wanting to join the EDAC and asked why he wants to be involved. Mr. Hammer explained he has lived in NH since 1997 in order to open Contemporary Chrysler/Jeep so he is a business owner and is concerned about the community and would like to do what he can to contribute. His background is in Finance and Mr. Hammer feels he can add value and would like an understanding of what is going on in town. Selectman Putnam moved to appoint Mr. Hammer as a member of EDAC. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

**5:40 p.m. – Ambulance Departmental Update.** Eric Schelberg, Ambulance Director, provided an update for the Milford Ambulance Department, noting that this has been a very busy year to start, especially the call volume. He has seen an uptick in the heroin use in town; and has seen at least three deaths since 2013 in town due to overdose. All members of the EMT team can administer Narcan now, which is used in heroin overdose. Mr. Schelberg indicated the current Cardiac Monitors in the ambulances are 12 years old and they will need replacement next year. Mr. Schelberg indicated the switch from an ER to Urgent Care at St. Joseph's has had a direct impact on transfer revenue, but now transfers are up 32% since they are seeing more patients every day, which increases the number of transfers. Overall, revenue is down, but there is a nice offset against the total budget. Vice Chairman Federico asked if the "ready spare ambulance" has been put into the rotation? Mr. Schelberg said they have not put it into the rotation yet but that is something he will look at in 2015, since there are already 34,000 miles on the 30A and we are seeing more patients requesting to go to Manchester instead of Nashua. Selectman Daniels asked if the new ambulances have blue lights? Mr. Schelberg said they do not, the legislation just passed that allows ambulances to have blue lights in the left rear corner and he can find out the cost of that. There were no further questions or comments. Members thanked Mr. Schelberg for the update.

**6:00 p.m. – Request for Approval of Elderly Exemption, Veteran's Credits, Charitable Exemptions and Solar Exemption.** Marti Noel, Town Assessor, provided information on the requests for approval of elderly exemption, veteran's credits, charitable exemptions and solar exemptions. Ms. Noel indicated there are 80 elderly exemptions recommended for approval and provided a shout out to Stephanie Tetley, Assessing Administrative Assistant, for working with all of the applicants, for which the snow caused some delays this year. The deadline for this application was April 15 and the town's response deadline is July 1. The list of applicants is not published, only the list of properties is published, there are fifteen new applicants but there were also people that fell off the list for one reason or another. We are usually between 75-85 applicants, so within normal range. Selectman Putnam moved to approve the elderly exemption applications as presented and recommended by the Town Assessor. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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1 Ms. Noel notified the three applicants for elderly exemption that were recommended for denial due to income or  
2 asset coverage. Selectman Putnam moved to deny the three applicants for elderly exemption as presented and rec-  
3 ommended by the Town Assessor. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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5 Ms. Noel indicated there were 20 new veteran's applying for the veteran's credit, each of whom receive a \$300 cred-  
6 it; one applicant has both husband and wife as veterans. Selectman Putnam moved to approve the veteran's credits  
7 as presented and recommended by the Town Assessor. Selectman Daniels seconded. All were in favor. Motion  
8 passed 5/0.

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10 Ms. Noel indicated there were two change of status veteran's credits presented for approval. Selectman Putnam  
11 moved to approve. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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13 Ms. Noel indicated there was one late application for residence in industrial or commercial zone for which she rec-  
14 ommends approval. Selectman Putnam moved to approve. Selectman Daniels seconded. All were in favor. Mo-  
15 tion passed 5/0.

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17 Ms. Noel indicated there were 37 applicants for the religious, education or charitable exemption, but only 36 are  
18 standard applications. Selectman Daniels asked that the application for Map/Lot 43/13 be separated as he will ab-  
19 stain from that vote. Selectman Putnam moved to approve the religious, education and charitable exemption appli-  
20 cations with the exception of Map/Lot 43/13. Vice Chairman Federico seconded. All were in favor. Motion passed  
21 5/0. Selectman Putnam moved to approve the religious, education and charitable exemption for Map/Lot 43/13.  
22 Vice Chairman Federico seconded. Selectman Putnam, Vice Chairman Federico, Selectman Bauer and Chairman  
23 Fougere were in favor, with Selectman Daniels abstaining. Motion passed 4/0/1.

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25 Ms. Noel indicated there is one application for solar exemption, which she has investigated. Selectman Putnam  
26 moved to approve the one solar exemption application. Selectman Daniels seconded. All were in favor. Motion  
27 passed 5/0.

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29 **6:15 p.m. – Brox Emergency Access Recommendation.** Police Chief Viola requested clarification on the Brox  
30 concerns/issues and wished to bring to the Board's attention for discussion the emergency response on the Brox  
31 property and OHRV/ATV use at Brox that the police receive calls for. Chief Viola went back several years and  
32 reviewed minutes of Board of Selectmen meetings and provided a summary of some of the minutes. Chairman  
33 Fougere asked who proposed putting up 400 acres of fence around Brox? Selectman Daniels could not remember  
34 who put that proposal in but he remembers the discussion; however that was abandoned based on cost. The calls for  
35 service at Brox between 2012-2015 have been mostly complaints about ATVs. Chief Viola indicated the OHRV use  
36 needs to be clarified; currently the Police cannot cite any ordinance regarding his. We have cited and warned people  
37 regarding the statute, but that is it. Chief Viola expressed emergency access concerns because there are two main  
38 entrance points: Perry Road and Heron Pond Road, both of which have gates. There is a third gate somewhere, but  
39 he has yet to find it. In the event of a medical emergency, getting access to the property would be difficult because  
40 the road is washed out at the culvert. The culvert is an existing crossing that is dammed up by the beavers. Chair-  
41 man Fougere said this would be the direct access route if there were a gravel operation on the property. This is a  
42 road that exists. Chief Viola has reached out to the Fire Department and Ambulance Department. If the town wants  
43 people to use the land, we should look at repairing the area because in the case of a medical emergency, there needs  
44 to be easy access. The other concern is having clarification on OHRV and ATV use on the property, what directive  
45 would the Board of Selectmen like to go to, to define it. Do we want ATV use on the property? Chief Viola has  
46 talked to Milford Conservation Commission, who does not really want motor vehicles on the property, but he feels  
47 with some clarification he can provide direction to the officers. Most people dealt with are families and a lot of  
48 people have been riding out there for years. If we decide we do not want motor vehicles there, we should put up  
49 signs.

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51 Selectman Bauer said if it is an ordinance that is one thing, but enforcing it is another. Chief Viola said it  
52 would not be a priority but would be enforceable if we get called out there. We look at the issues out there regard-  
53 ing littering; Fish & Game cites people for littering but you have to catch them. It is difficult to enforce this type of  
54 thing. Selectman Daniels said the statute might say one thing but if the land owner is the town, who do people go to  
55 for permission? That is the problem the Police are running into, according to Chief Viola; there is a sign that says  
56 "No Motor Vehicles", you can ride a bike but not a motor vehicle; it is a gray area. Selectman Daniels said that is  
57 taking away the right of people to use the land. Chairman Fougere does not think the Board can decide tonight, but  
58 should either post it or not and have the ordinance to back it up. We ran into some problems up on Mile Slip. On

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1 Brox, we do not have rules, so we should look into it and make a decision one way or the other. Selectman Putnam  
2 suggested the Board needs to get a price from Rick Riendeau on how to fix the culvert. Chief Viola said the culvert  
3 is fine it is just clogged. Chairman Fougere said the beaver stuff just needs to get pulled out of it. Mark Bender  
4 added that the culvert fix is just to clear the blockage created by the beaver and to build a beaver box; Rick Riendeau  
5 thinks his guys can build that and get it working correctly. Once the water is running, we can bring some gravel  
6 over and fix the road that is washed out. It will not cost a lot of money. There is some exposure on the town be-  
7 cause people are using that land so we should take action. Chairman Fougere said that someone broke a leg out  
8 there. Chief Viola added that a person also got lost out there, the better access we have out there, the better. Vice  
9 Chairman Federico suggested having Rick Riendeau work with the Conservation Commission so it is done envi-  
10 ronmentally correct. Chairman Fougere said that Fred Elkind knows what we have to do. Selectman Putnam would  
11 like to sleep on the ordinance to think about it. Vice Chairman Federico would like to see what state ordinances  
12 there are on state property on not using an ATV, to use as boilerplate. Selectman Daniels said it would not be a state  
13 ordinance, that would be state law. Chief Viola feels the Conservation Commission should designate the trails that  
14 people can ride motor vehicles on in town; he asked the Conservation Commission if someone has done a permit  
15 with the town to use them and we currently have not. Chairman Fougere said there are state-designated trails that  
16 people can ride on. Vice Chairman Federico added that there are active groups that maintain those trails. The con-  
17 sensus is to fix the culvert at Brox ASAP; and the ATV use at Brox was tabled.  
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19 **3. PUBLIC COMMENTS.** There were no public comments this evening.  
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21 **4. DECISIONS.**

22 a) **CONSENT CALENDAR.** Chairman Fougere asked if there were any items to be removed from the  
23 Consent Calendar for discussion. There were no items removed for discussion. Chairman Fougere read the Consent  
24 Calendar items for the benefit of those watching the PEG Access live broadcast. Selectman Putnam moved to ap-  
25 prove the Consent Calendar as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

26 **1) Acceptance of RSA 31:95(b) Unanticipated Funds.** The request for approval of unanticipated funds  
27 in accordance with RSA 31:95(b) was approved as follows:

<u>Source</u>	<u>Amount</u>	<u>Purpose</u>
Special Hermetic Products, Inc.	\$ 100.00	Donation to the Milford Fire Dept. for fire extinguisher training on 4/17/15. The Milford Fire Dept. wishes to designate the donation to the Fire/Life Safety Education Special Purpose Fund

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34 **2) Request for Approval of Gravel Tax Levy Map 50 Lot 4-4.** The request for approval of gravel tax  
35 levy, map 50, lot 4-4 in the amount of \$1,508.44 was approved.  
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37 **b) OTHER DECISIONS.**

38 **1) NH Municipal Pipeline Coalition.** Town Administrator Mark Bender provided an update on the pipe-  
39 line coalition, indicating a letter was drafted by the NH Municipal Pipeline Coalition and was amended by the Town  
40 Administrator in Brookline. The letter draws attention to some issues about the pipeline and tries to get a commit-  
41 ment to work toward clarification of the issues with FERC. They would like to send the letter out May 6 after the  
42 next coalition meeting. The Milford Task Force has not yet had a chance to review it; they will be meeting on  
43 Wednesday April 29. Mr. Bender would like feedback from the Board of Selectmen on the letter, or if Milford  
44 should wait. Chairman Fougere asked for comments from Board members. Selectman Daniels said he wants to get  
45 the feedback from the Milford Task Force; to go forward with the letter now usurps the Task Force input, it needs to  
46 be a uniform thing; we made sure we had a Task Force and he would hate to see any group go forward on it own  
47 without having the others; we need to move together. Selectman Putnam agreed. Mark Bender said Milford will  
48 just not participate until the Task Force has met; it will be providing a report to the Board at the end of May. Se-  
49 lectman Daniels said if the Task Force has not completed their report, they might not be able to answer some of the  
50 allegations in this letter. Chairman Fougere agreed and has some concerns about what is in the letter, so having the  
51 group do its job would be wise. All members concurred to wait.  
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53 **5. TOWN STATUS REPORT**

54 **1) Fire Department Roof Replacement.** Town Administrator Mark Bender explained the roof at the Fire  
55 Department and at Town Hall both need repairs because of the difficult winter (due to snow). Three quotes  
56 have been obtained for the Fire Department, this repair should be done soon. There was no warrant article on  
57 this, it will have to come out of the DPW budget from the buildings line item. We cannot let it go on,  
58 the water was coming in by an electrical panel in the rear of the building. It is a problem that needs to be

addressed. Three quotes were received, between \$78,000-\$85,000. There is \$100,000 in the building repairs line item. Selectman Daniels asked if we could get a 30-year warranty instead of 20-year? Selectman Putnam said he can look into that; the existing roof has been there for forty years. Selectman Daniels said we are in a default budget, this is between \$75,000-\$85,000 that we were not planning on, if we take it out of DPW, what will not get done? Selectman Putnam said it is coming out of building maintenance but there might be other maintenance that may not get done. Mark Bender said there was some painting at Town Hall that will be put off until next year. Vice Chairman Federico thinks a contractor should be chosen and we can ask about the 30-year warranty but it needs to get done regardless. Mark Bender said he can get the information on the 30-year warranty and e-mail it to members. Mark Bender also noted that one of the contractors is available to move on this roof in May. All agreed to have Mark Bender look into the 30-year warranty and send information to members, but to move forward with the repair.

**2) Police Department Academy Graduates- Michael Lacure, David Lisboa and William Morrow.** Mark Bender announced the three recent graduates from the Police Academy and congratulated them all.

**3) Major Projects Update.** Town Administrator Mark Bender explained that this list is on the town website and the Fletcher and Mill Street projects should be starting in the next couple of weeks. The Jennison Road bidding is going out in May and the costs should come in lower than anticipated. Chairman Fougere said that right now the South Street project will start about June 8 and the Route 13 signals should be complete by July 1. There are several paving projects in town due to the winter, Mark Bender will work with Rick Riendeau in the next few weeks on this schedule to refine the list; today he received notification from the State on their paving projects including North River Road and Route 13. Selectman Daniels asked why is the town not using the Cartegraph to collect paving information? Mark Bender responded that we are, that is why we are looking into it but there is a lot of information that needs to be gone through. Two weeks ago, Selectman Daniels said the Department of Environmental Services (DES) asked if it was possible to include in our Osgood Pond permit digging around the dam and putting a larger pipe so that it will drain after the rains; he suggested the town amend its permit. Chairman Fougere noted that Osgood Pond filled up so now we cannot dredge it. Selectman Daniels expects to hear back from his contact tomorrow on that. Vice Chairman Federico understands that the town is searching for additional funding for Osgood Pond, since the town does not have all the money to dredge it, but he would like to see it fill back up so that the smell is not there (of decay). Chairman Fougere asked if the town is on hold for now, waiting the grant money? Selectman Daniels thought the grant should have been awarded by now, that was \$150,000 and another \$50,000 from Fish & Game plus the town has \$50,000 in the account, we may have a good chance for some matching funds. Selectman Putnam thought the boards were put back in? Mark Bender said some of the water had to be let out to prevent flooding.

**6. DISCUSSIONS**

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

**a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Chairman Fougere asked for an update on the Fire Department retaining wall. Mark Bender said he will check on that. Selectman Putnam said the new consoles are in at MACC Base and are up and running. Selectman Daniels said years ago the Recycling Committee had put up signs stating “Milford Recycles” and he would like to see if those are still up by using Cartegraph. The Recycling Committee is looking to remind people that there is a Recycling Program being used in town and would like to know how many of those signs are out there and if more need to be ordered. The recycling barrels are being used at Emerson Park, and Keyes Field and they would like more placed around town.

Vice Chairman Federico indicated that Granite Town Media had their first televised meeting last week. After the meeting, the committee toured the town hall basement to look at a potential second area for taping meetings. The space at the bottom of the ramp was found to be large enough for people to sit and the mobile equipment to record could fit. They are looking at that area to see if that can be used for a second meeting room for taping.

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

**8. APPROVAL OF FINAL MINUTES.** Selectman Daniels provided amendments to the minutes of March 30, 2015 and April 13, 2015. Vice Chairman Federico moved to approve the minutes of March 30, 2015 and April 13, 015 as amended. Selectman Bauer seconded. Vice Chairman Federico, Selectman Bauer, Selectman Daniels and Selectman Putnam were in favor, with Chairman Fougere abstaining. Motion passed 4/0/1.

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1 9. INFORMATION ITEMS REQUIRING NO DECISIONS.  
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3 10. NOTICES. Notices were read by Chairman Fougere.  
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5 11. NON-PUBLIC SESSION. Vice Chairman Federico moved to enter into non-public session at 7:17 p.m.  
6 under RSA 91-A:3II, (a&c) – Personnel and Reputation. Selectman Putnam seconded. All were in favor. Motion  
7 passed 5/0. After discussion, Selectman Daniels moved to come out of NPS session at 9:14 p.m. Selectman Bauer  
8 seconded. All were in favor. Motion passed 5/0.  
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10 12. ADJOURNMENT: Selectman Putnam moved to seal the minutes of this session. Selectman Daniels seconded.  
11 All were in favor. Motion passed 5/0. In public session, Chairman Fougere announced the Board had a discussion  
12 on Personnel and Reputation, no votes were taken and the minutes of the discussion were sealed. There being no  
13 further business to come before this meeting, Selectman Daniels moved to adjourn at 9:15 p.m. Selectman Putnam  
14 seconded. All were in favor. Motion passed 5/0.  
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19 Mark Fougere, Chairman  
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Kevin Federico, Vice Chairman

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24 Gary Daniels, Member  
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Katherine Bauer, Member  
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29 Mike Putnam, Member