

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
July 13, 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
Niko Giokas, Videographer

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

INSTRUCTIONS: After the non-public session, Chairman Fougere called the public 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. Chairman Fougere announced that in non-public session there was a reputation issue discussion. There were no decisions made nor votes taken.

2. APPOINTMENTS:

5:00 p.m. – Non-Public (RSA 91-A:3, II(c) Reputation. Selectman Putnam moved to enter non-public session in accordance with RSA 91-A:3, II (c) Reputation. Selectman Daniels seconded. All were in favor. Motion passed 5/0. After discussion, Selectman Daniels moved to come out of non-public session at 5:50 p.m. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0. Selectman Daniels moved to seal the minutes of this non-public session. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.

5:30 p.m. – Review and Approval of Elderly Exemptions and Jeopardy Tax Warrant, Timber Tax Warrants and Intent to Cut. Town Assessor Marti Noel presented the two elderly exemption applications for review, both had information still coming on the due date; the information was received and it is being recommended by the Assessor that they both be approved. Ms. Noel indicated both of these applications were due July 1, but the RSA does allow for supporting information to come in later and these are within the statute. Selectman Putnam moved to approve both of the elderly exemptions being reviewed as recommended. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

Chairman Fougere invited Finance Director Jack Sheehy to speak with the Board about a jeopardy tax warrant. Selectman Daniels also requested that item 4a4 be removed from the Consent Calendar for discussion at this time, as the Assessor is here for any questions. All members concurred. Jack Sheehy indicated the jeopardy tax warrant matter was reviewed at the last meeting and the Board was looking for additional information and it was found this mobile home is at the Town & Country Mobile Home Park. The property is owned by a Co-op. After researching, Ms. Noel found that the mobile home co-op president was Robert Cook, who was reached today by phone and talked about the home in question. The mobile home was destroyed on-site after he had obtained a writ from the courts. RSA 80 handles the tax collection which does allow the destruction of a mobile home by the park owner and there is no need to pay the taxes. The taxes were billed for the first half of 2015. The owners abandoned the home and the roof was compromised and subsequently caved in. Selectman Putnam asked if there is any recourse. Ms. Noel said there is no recourse to collect the taxes when there is a writ through the court involved. Chairman Fougere indicated this was clearly a public health hazard. Ms. Noel said the bank did not want the property back and forgave the debt. Selectman Putnam moved to abate the taxes for Map 43 Lot 59-M-38. Selectman Daniels seconded. There was no further discussion. All were in favor. Motion passed 5/0.

5:40 p.m. – Appointment of Cheri Federico to the Recreation Department. Chairman Fougere asked Ms. Federico why she wants to volunteer on the Recreation Commission. Ms. Federico would like to take a more active role in the community, and feels she brings unique insight to the Commission. Selectman Daniels asked about that insight. Ms. Federico would like to see improvements to the parks that already exist and see where the Commission sees improvements in the future. Chairman Fougere thanked Ms. Federico for volunteering in the town and indicated a lot of town programs could not run without the volunteers. Selectman Putnam moved to appoint Cheri Federico

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1 as a full member of the Recreation Commission. Selectman Daniels seconded. All were in favor with Vice Chair-
2 man Federico abstaining. Motion passed 4/0/1.
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4 **5:50 p.m. – Departmental Update – Fire Department.** Fire Chief Kelly presented an update for the Fire Depart-
5 ment for 2014 and 2015, including the delivery of Ladder 1, noting that everyone needs to go see it. The Public
6 Eyes software is now installed and will provide real time information that can be sent to dispatch including hydrant
7 locations and hazardous materials information. The department is also applying for a grant that would allow a sub-
8 station for training. Selectman Daniels asked if there are any requirements for a training center. Chief Kelly said
9 there are not, it would just be a second station. On Wednesday there will be a conference on school bombing inci-
10 dents. Chief Kelly explained that the ISO rating for Milford has improved. Selectman Daniels indicated with that
11 ISO improvement, home owners may be eligible to get a discount for being in a better-rated town. Chief Kelly said
12 that Ladder 1 will be in service beginning next week. Currently the department is looking at 2022 for a West end
13 station based on call volume at that end of town. Right now the department is down about five people, and he is
14 keeping an eye out; 8 applications are being considered right now. Chief Kelly said he has the most dedicated guys
15 on the roster right now, and they are all well trained.
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17 **6:05 p.m. – Social Service Warrant Article.** Welfare Director Susan Drew was in attendance for this discussion.
18 Ms. Drew indicated she felt the warrant article for 2016 could go to a committee in order to identify the list of agen-
19 cies to which the town would lend support. This committee would look at the groups that request funds so that they
20 could decide who would receive donations. Ms. Drew indicated that Milford will send letters to all the agencies to
21 let them know when to apply for assistance and all agencies would need to submit the request in the same manner
22 and by the same date. Selectman Daniels noted that the Budget Advisory Committee (BAC) was looking at some-
23 thing like that last year, so you may want to find out information from them as well.
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25 Chairman Fougere asked if this committee would come up with recommendations for the warrant article.
26 Ms. Drew answered that as a committee, they could come up with a list to submit as part of the warrant article. Se-
27 lectman Daniels asked how would it be decided who to have on that list? Ms. Drew responded that would be the
28 committee’s decision. The warrant article right now is for \$35,000, so that is what would be asked for and it would
29 be split among the selected agencies the committee feels deserves it and assists Milford the most. Selectman Dan-
30 iels asked if there would be an analysis. Ms. Drew responded that is what the committee would decide, several
31 agencies have been eliminated over the years through that analysis by the Welfare Director and Social Services Di-
32 rector and now we want it to go to a committee to decide.
33

34 Vice Chairman Federico has no problem with this idea. Selectman Putnam supports this. Chairman Foug-
35 ere feels it might be good to have a level playing field. Town Administrator Mark Bender indicated that Susan
36 Drew would refine the charge for this committee and their duties so it is all spelled out, but we still have to deter-
37 mine how to find the members and volunteers of this committee. Ms. Drew said however the Board wants to do this
38 is fine with her; if people are interested in coming out and are interested in social work, they might want to volun-
39 teer. A questionnaire would be put out to invite different agencies to make requests. Amherst has a committee like
40 this with three volunteers. Chairman Fougere thinks this is a good idea. Vice Chairman Federico agrees it is a good
41 idea, it comes up every year and it is great that a committee is being considered. Selectman Daniels asked that
42 when this committee reviews the organizations, keep in mind there are things the town is obligated to assist with and
43 others that it is not, Selectman Daniels would like to see them separate. There was no further discussion.
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45 **3. PUBLIC COMMENTS.**

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47 **4. DECISIONS.**

48 a) **CONSENT CALENDAR.** Chairman Fougere asked if there were any items to be removed from the
49 Consent Calendar for discussion. Selectman Daniels had removed item 4a4 from the Consent Calendar during the
50 5:30 p.m. appointment for discussion. Chairman Fougere read the Consent Calendar items for the benefit of those
51 watching the PEG Access live broadcast. Selectman Putnam moved to approve the Consent Calendar as presented.
52 Selectman Daniels seconded. All were in favor. Motion passed 5/0.
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- 54 1) **Review and Approval of Drinking Water State Revolving Loan Program – Dram Cup Hill Tank**
55 **Rehabilitation Project.** The board approved this request.
- 56 2) **Review and Approval to change Rick Mossey and Joan Dargie from full member of Recreation**
57 **Commission to Alternate Members for the remainder of their terms.** This was approved by the
58 Board.

- 1 3) **Request from Milford Improvement Team (MIT) for use of Town Property for the Pumpkin**
2 **Festival.** The Board approved the use of town property for the pumpkin festival as requested.
- 3 4) **Review and Approval of Abatement Map 3, Lot 59-M-38.** This item was removed from the Con-
4 sent Calendar for discussion during the 5:30 p.m. appointment.
- 5 5) **Review and Approval of Junk Yard License in accordance with NH RSA 236:121.** This item was
6 approved by the Board.

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8 **b) OTHER DECISIONS.**

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10 **5. TOWN STATUS REPORT.**

11 **1) EPA Cleanup at the Grugnale Site.** Mark Bender indicated last week was the initial clean up at the
12 Grugnale property. There were 29 barrels extracted along with several barrels that were empty, so the contents
13 must have leached into the soil and there are two piles of soil contamination on the site. The soil will be tested
14 and stored out there and eventually removed to a proper storage site. Chairman Fougere said the biggest con-
15 cern is that we just stumbled on this, it just kind of happened. Mr. Bender indicated that the EPA and DES were
16 out there at the same time and the contact from DES is the same one as is in charge of 127 Elm Street clean up,
17 so Mr. Bender spoke with him about that as well.

18 **2) Federal Energy Regulation Committee (FERC) Scoping Meeting.** The FERC scoping meeting will be
19 held on July 30, 2015 6:00 p.m. – 11:00 p.m. in the Milford Town Hall Auditorium. It is an open microphone
20 event; there is no presentation and residents can speak to representatives of FERC about the proposed pipeline
21 design and if it will come through this area. FERC is the organization that makes the decision. Mark Bender
22 said this is an important meeting for residents; there are only three of these meetings in NH – Nashua, Milford
23 and Winchester and that is it. People can submit their testimony in writing or verbally. Chairman Fougere said
24 residents can talk about anything at this scoping meeting regarding the pipeline; it is not just about the environ-
25 ment.

26 **3) Jones and Jennison Bridge Update.** Mark Bender indicated the town will use the same contractor for the
27 Jones Bridge removal and the Jennison Bridge repair. Timing of the projects will be coordinated; Jones Bridge
28 will be demolished first followed by removal of pieces and river clean up; work starts August 6 or 7, 2015 and
29 then Jennison Road Bridge will follow. The residents should anticipate Jennison Road closures starting August
30 24 until completion. The Cabinet has been contacted to provide information in the newspaper. The timelines
31 are on the website as well. There was a meeting this morning with the school superintendent to review those
32 plans. Chairman Fougere had hoped this work would be done during non-school dates, but obviously it will
33 not. Chairman Fougere wants to get the electronic sign up and to let residents know of the upcoming closures.
34 Selectman Daniels asked why there is a lag of time between the Jones and Jennison Road bridge work. Mark
35 Bender explained taking the Jones Bridge down is only the first step and then there is river work, remove access
36 road, etc. that needs to be done as well, prior to beginning on the Jennison Road bridge.

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38 **6. DISCUSSIONS**

39 **1) Review of Board of Selectmen's Goals and Objectives 2015.** Chairman Fougere indicated there is no new
40 information on this item.

41 **2) Review of Pipeline Task Force Report.** Chairman Fougere asked if all members have reviewed the pipe-
42 line task force report and what are the thoughts. Selectman Daniels thought the report was very informative and he
43 appreciates the way it was broken up; it was very helpful. Selectman Daniels said some of the same frustrations in
44 trying to research this, is that we are not being told if there are any benefit by having the pipeline go through Mil-
45 ford. Selectman Daniels appreciates all the work done by the Task Force and hopes we might be able to get more
46 information on the unanswered questions. Chairman Fougere agreed there was a lot of "to be determined" infor-
47 mation in the Kinder Morgan Environmental Impact Statements.

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49 Selectman Bauer agreed it is stated there is no particular benefits to the town of Milford for such a disruptive
50 project. Vice Chairman Federico thanked the Task Force for the study in all aspects and in getting the information
51 to make an informed decision but he only sees one side. Chairman Fougere hopes the committee gets back together
52 once more information is available. One concern is the potential impact on ground water and damage from blasting.
53 If there is damage, Vice Chairman Federico hopes there might be a neutral group that can assist those people to try
54 to put in a claim to such a large company which can be difficult and challenging. This will be an argument to the
55 State that a third party arbitrator be made available to those homeowners. Merrimack had much more blasting re-
56 quirements than Milford. The Task Force and Mark Bender have spent many hours already. Mark Bender said it
57 was a lot of work and the environmental impact statement is a lot of the unknown. We will see if it continues on
58 schedule or if we see additional scoping meetings held in the future.

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2 Mark Bender distributed a posting that is on the FERC website about a June 30 meeting with the Amherst Task
3 Force with Kinder Morgan in which they presented three options. Option 3 for Amherst actually does impact the
4 Milford route. Instead of Federal Pointe, it would go northerly between Route 13 and Federal Hill to Route 101,
5 then north to Amherst. Since it affects Milford, Mark Bender wanted the Board of Selectmen to be aware that it
6 exists. Mark Bender showed the Board a larger map to consider options for Milford. The route could have less im-
7 pact as far as the number of residents. One Milford option is to take the pipeline between Route 13 and Federal Hill
8 Road like the Amherst Option 3 and then follow Route 101 and the PanAm Railroad to connect with the preferred
9 Amherst Option 1. The Milford portion would follow another utility corridor. The second Milford option would be
10 to run the pipeline along Route 13 to Route 101 and the PanAm railroad. Vice Chairman Federico would hate to
11 change our "no vote" but we need to mitigate the effects and have some say as to what impact to the town and we
12 need to continue to look at what could happen in town. The taxpayers need to be aware of what is being discussed.
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14 Selectman Daniels asked if there was anyone studying the options in Amherst proposal regarding running the
15 pipeline along the railroad corridor and how the rumble of the trains would impact the pipeline. Mark Bender said
16 Kinder Morgan asked how much the railroad runs through the town, Kinder Morgan is studying that. They will be
17 in contact with PanAm railroad to see how much traffic goes through there. Chairman Fougere said the fact that
18 they put it on a map is something. Kinder Morgan expressed a concern about the rail line. Since there was an op-
19 tion out there, that affects Milford, he wanted to bring that forward. Mark Bender asked if Milford wants to meet
20 with Kinder Morgan to get that information. Selectman Putnam thinks that is a good idea. Vice Chairman Federico
21 suggested seeing if we can get any information from them. Selectman Daniels talked to Kinder Morgan this after-
22 noon. Mark Bender will set up a meeting with the Task Force and also Kinder Morgan and the Board of Selectmen
23 (public meeting).
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25 **7. SELECTMEN'S REPORTS/DISCUSSIONS.**

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

27 **b) OTHER ITEMS (that are not on the agenda).** Selectman Daniels said at the State level, the capital
28 budget was signed last Friday. The money for final design on moving the Milford District Court from where it is
29 now to the motor vehicle substation property was approved in the capital budget. That has been hanging out there
30 for 15 years; it is a big deal for police because when they have to go to Merrimack for court, it is a one hour addition
31 to their trip. There is also a \$500,000 EPA cleanup in the capital budget for Milford. Police Chief Viola thanked the
32 Board of Selectmen for coming to the promotion of Captain Sean Pelletier, he will do a great job.

33 Timber Tax Levy – there were two timber tax levies presented for approval for Map/Lot 7-1 and Map/Lot3-12
34 in the amounts of \$992.80 and \$3,085.91 respectively. Selectman Putnam moved to approve both Timber Tax Lev-
35 ies as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0. Selectman Putnam moved to
36 approve 5 intents to cut, which came in late today and were not on the agenda, for Map/Lot 41-067, 50/006, 41-031,
37 028, 39-74 and 6-42-7. Selectman Daniels seconded. All were in favor. Motion passed 5/0.
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39 **8. APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of June 8, 2015 as
40 amended. Selectman Daniels seconded. All were in favor. Motion passed 5/0.
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42 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**
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44 **10. NOTICES.** Notices were read by Chairman Fougere.
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46 **11. NON-PUBLIC SESSION.** Selectman Putnam moved to enter into non-public session at 6:40 p.m. for a
47 reputation and a land acquisition discussion. Selectman Bauer seconded. All were in favor. Selectman Daniels
48 moved to unseal the non-public minutes of May 26 and June 8, 2015 for review. Selectman Putnam seconded. All
49 were in favor. Motion passed 5/0. Vice Chairman Federico moved to approve the non-public minutes of May 26
50 and June 8, 2015 as amended. Selectman Daniels seconded. All were in favor. Motion passed 5/0. Selectman
51 Bauer moved to reseal the non-public minutes of May 26 and June 8, 2016. Vice Chairman Federico seconded. All
52 were in favor. Motion passed 5/0. After discussion, Chairman Fougere announced the Board discussed a reputation
53 issue and a land acquisition issue and made five decisions.
54

55 **12. ADJOURNMENT:** There being no further business to come before this meeting, Selectman Putnam moved to
56 adjourn at 7:50 p.m. Selectman Daniels seconded. All were in favor. Motion passed 5/0.
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Mike Putnam, Member