

**APPROVED**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**  
November 23, 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 was adjourned, Chairman Fougere called the public meeting to order at 5:45 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:**

**5:15 p.m. – Non-Public – Personnel.** Vice Chairman Federico moved to enter into non-public session at 5:15 p.m. in accordance with RSA 91-A:3, II(a) Personnel. Selectman Daniels seconded. All were in favor. Motion passed 5/0. After discussion, Vice Chairman Federico moved to come out of non-public session at 5:42 p.m. Selectman Daniels seconded. All were in favor. Motion passed 5/0. Chairman Fougere announced the Board made one decision in non-public session. Selectman Daniels moved to seal the minutes of the non-public session. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.

**5:30 p.m. – Assessing – Municipal Assessment Data Sheets (MADS), Supplemental Tax Warrants, Land Use Change Tax (LUCT).** Town Assessor Mari Noel presented the MADS for Board review which support the sales she provided for Milford. Ms. Noel indicated these are a part of the tax rate and are part of the equalization ratio formula. Chairman Fougere asked if the town assessments are within 96% overall? Ms. Noel responded they are, it is pretty good; we did a few tweaks and kept things in line. Selectman Daniels moved to accept the Municipal Assessment Data Sheets. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.

There are two properties with supplemental tax warrants which were found to not be billed after the first tax billing. These warrants are for US Cellular and T-Mobile. Additionally, Ms. Noel presented the Land Use Change Tax for a newly created lot where construction has begun, therefore it cannot stay in Current Use so it is being moved out of current use. The property owner has been notified and is on board. Selectman Daniels moved to accept the recommendation of the Town Assessor for the Supplemental Tax Warrants and the LUCT. Vice Chairman Federico seconded. All were in favor. Motion passed 5/0.

**5:45 p.m. – Interview of New Planning Board Member Doug Knott.** Chairman Fougere introduced the new Community Development Director Lincoln Daley to the public and asked that Doug Knott please join them for this interview. Chairman Fougere asked why Doug wants to join the Planning Board. Doug Knott explained his background is in landscaping; he has lived in Milford since 2004 and his interest is in how the town develops. He would like to see nice landscaping and keeping the character of the town. Sometimes there are some places that need to look a little better. Vice Chairman Federico knows Doug Knott from working with non-profit organizations and he thinks Doug will be a great asset to the Planning Board. Janet Langdell, Planning Board, said the Board is happy to get Doug on board. Chairman Fougere said people that step up to volunteer is what makes the town go; he thanked Doug for volunteering. Selectman Daniels moved to appoint Doug Knott as an Alternate on the Planning Board. Selectman Putnam seconded. All were in favor. Motion passed 5/0.

**5:50 p.m. – BR&E/EDAC Update (UNH Ext. Service-Andre Garron)..** Town Administrator Mark Bender asked that Mr. Garron join the Board at the table for this discussion. Mr. Garron thanked the Board for having this appointment and stated he is talking with Milford and Amherst on the Business Retention and Expansion Program (BR&E); he has worked on this with Tracy Hutchins from the Chamber of Commerce at the Economic Summit in September. Mr. Garron presented the information to the Board. Chairman Fougere attended the summit and it was

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 11/23/2015

1 well received and well done. Selectman Putnam thought that it was a very good presentation tonight. Matt  
2 Ciardelli, Economic Development Advisory Committee thanked Mr. Garron for doing the survey mentioned in the  
3 presentation, noting that EDAC wants to focus on how it could affect Milford. There was an EDAC meeting and it  
4 was discussed how we could implement this plan. We all felt it has been a while since we have had any good pro-  
5 jects and this is a good opportunity to address the skills gap. A lot of people can benefit from this. We could do  
6 some outreach to find skills that the managers in Milford are looking for and figure out how to communicate that to  
7 the school system. Don Jalbert said we have started to form a group including Wendy Hunt (MIT), Bill Parker  
8 (Planning Director) and a Nashua Community College representative, to identify how we can get more awareness  
9 about what we have available at the Applied Technology Center at Milford High. Educating the parents is also a  
10 good idea. That is the focus. Last Wednesday a document was presented that outlines that about 30% of jobs will  
11 require a high school diploma and maybe a certification but not necessarily a four year degree. Another 30% will  
12 require a four year degree. We need to do a better job helping kids to see what the work opportunities are in Mil-  
13 ford. We want career awareness for the kids that will contribute to the economic stability of the community in order  
14 for people to have successful careers and a successful future.

15  
16 Mr. Ciardelli said EDAC is trying to come up with sustainable resources for the community. Chairman Fougere  
17 said he wants these studies to get implemented. Let's implement these findings. Selectman Daniels asked if eco-  
18 nomic development has provided any information about what skills are needed when kids are coming out of high  
19 school? Mr. Garron responded that there is a branch in Nashua that can help with this part of the project. Selectman  
20 Daniels asked if it is the intent for EDAC to move forward with some of the things like transportation? Mr.  
21 Ciardelli said of the five strategies, some are short term and some are long term. EDAC wants to focus on one as-  
22 pect at a time. Mr. Garron indicated the transportation aspect is that employees come from out of town and struggle  
23 to find transportation to get to their job in Milford. Affordable housing comes up as well. Janet Langdell, Planning  
24 Board, said that regional public transportation is being discussed at the Nashua Regional Planning Commission  
25 (NRPC) who is preparing a regional transportation plan. She hopes that will be done first quarter next year and  
26 there are other groups out there looking at it as well. There are a lot of other questions about what it means to the  
27 people that responded to this. Mr. Garron asked if there were any further questions. There were none. Mr. Garron  
28 thanked the Board for the opportunity to provide this; it was a long project but the town will benefit from it.

29  
30 **6:15 p.m. – Winter Parking Ban Discussion.** Police Chief Viola said the Board has been talking about the down-  
31 town parking in the oval area for years; he has reviewed the winter parking ban ordinance passed in 2012 when the  
32 parking ban light was first activated. He has found that the literature contradicts itself regarding the fines and the  
33 hours. Chief Viola has reviewed everything and when looking for different information he found several discrepan-  
34 cies in what is written. We want to make sure everything is across the Board and consistent. We had a flyer being  
35 given out to residents that could be more clear; Chief Viola said he can take on the responsibility to get it clear if the  
36 Board would like. We just need to clean up the website and the flyer since they conflict with the ordinance. We  
37 have talked about these things and want to have the approval to make the necessary changes to have everything  
38 synced. Everything should state no parking on town roads and parking lots 1 a.m. to 6 a.m. across the board; we  
39 need to make sure we are consistent. The other thing is that the signs on the street and parking lots outside conflict  
40 with this. We need to fix the signs or remove them, he can talk to Rick Riendeau at DPW to get the signs removed.  
41 Chief Viola will work with Mark Bender and talk to Rick Riendeau about removing some signs so that we are con-  
42 sistent. When the ordinance came into effect in 2012, there were some areas that could stay until 2 a.m.; but he  
43 wants to make sure 1 a.m. is okay with everyone. Chief Viola does not feel the ordinance needs to be changed, just  
44 all of the other notifications need to be clarified and the signs need to be looked at. There were no further questions.

45  
46 **3. PUBLIC COMMENTS. (items not on the agenda).** Suzanne Fournier, Brox Environmental Citizens Group  
47 Coordinator, indicated she has a problem with the way the town has been getting the required documentation pro-  
48 vided to her regarding the MEDC proposed purchase of the Brox property that fell through. Specifically, she is talk-  
49 ing about the materials regarding access to the premises when there was a land deal being looked at. There was a  
50 road survey, wetland delineation, topographic survey, Meridian was one of the agents working for MEDC. All of  
51 the reports related to the studies are supposed to be given to the town. The reports were requested from Mr. Bender  
52 and she has only received one letter tonight. Mr. Bender has been giving one reason after another why the docu-  
53 ments do not exist and we should not spend money to get them; she would like to know if the documents will be  
54 obtained through legal means. Ms. Fournier would think MEDC would want to cooperate fully. Please consider  
55 what will be done on this, it is a problem and how will the town get the documents? Chairman Fougere said part of  
56 the agreement was that any services that were completed on behalf of MEDC would be handed over to the town and  
57 to date we have not received anything. Mr. Bender said that is correct. The coordination with MEDC has not been  
58 stellar commented chairman Fougere. Ms. Fournier asked if that was after the deal fell through or before? Chair-

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 11/23/2015

1 man Fougere said it was better before it fell through and now it is challenging; the town does need to get the docu-  
2 ments in whatever form they are in. Chairman Fougere said that Town Administrator Mark Bender should keep  
3 trying to get them, but he does not want to call in the attorney. This is for whatever was done during that timeframe.  
4 Whatever is out there the town should get. Ms. Fournier has seen the topography, it is everywhere. Chairman  
5 Fougere indicated it might have been mapped and nothing else. Ms. Fournier said they were doing the studies, she  
6 is glad to hear that you are going to pursue getting that information. There was good information to start with and  
7 this would be more refined.

8  
9 Ms. Fournier indicated the Natural Resources Inventory for Brox will be presented on December 1 at 7:00  
10 p.m. in the Banquet Hall for anyone interested. Also, Ms. Fournier said a petition warrant article is being presented  
11 to put it on the ballot; it was submitted August 29 and now the sale is off, therefore she would propose to the Board  
12 to not put it on the ballot because the Board can decide on whether petitions can be on the ballot if a deal falls  
13 through. The second reason is that the person that put in the article can choose to withdraw it, and Ms. Fournier was  
14 that person. Ms. Fournier would rather take it off but Chairman Fougere would like to talk to council before doing  
15 anything. Chairman Fougere also noted that at deliberative the petition warrant article can be amended.

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17 **4. DECISIONS.**

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19 a) **CONSENT CALENDAR.** Chairman Fougere asked if there were any items to be removed from the  
20 Consent Calendar for discussion. There were no items removed for discussion. Selectman Putnam moved to ap-  
21 prove the Consent Calendar as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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23 1) **Timber Tax Levy).** The Timber Tax Levy for KSH Realty LLC was approved in the amount of  
24 \$304.82.

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26 2) **Acceptance of Conservation Commission Donations from Ghost Train Rail Trail Race.** Chair-  
27 man Fougere explained the Conservation Commission Donations from the Ghost Train Rail Trail  
28 Race in the amount of \$8,089.04 were accepted.

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30 b) **OTHER DECISIONS.**

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32 **5. TOWN STATUS REPORT.**

33 a) **NH Municipal Pipeline Coalition Update.** Town Administrator Mark Bender provided an update on work  
34 completed by the NHMDC. The group met with the Congressional delegates to discuss the pipeline and things  
35 are moving quickly now. Recently the Massachusetts Attorney General report was submitted; they did not feel  
36 there was a need for a pipeline to support us through 2030 so it questions the need for a pipeline. Tennessee  
37 Gas filed their certificate of public need for the pipeline. The Board of Selectmen should consider whether Mil-  
38 ford should file a notice as an intervener for the pipeline which gives Milford legal standing. It would allow the  
39 town to file legal reports in the future. Since the Board is opposed to it, the Board might consider filing as an  
40 intervener. Selectman Bauer would like to file, Selectman Putnam, Vice Chairman Federico, Selectman Daniels  
41 all agreed. Mark Bender said there is no cost to file. There is a draft Warrant Article to fund legal fees that are  
42 assessed with the coalition. \$40,000 would be the Milford portion for the legal costs of the coalition. Mark  
43 Bender can see if the NHMDC attorney is available for the December 14 Board meeting. Chairman Fougere  
44 said if we are going to file as an intervener, we should have the attorney come in. Selectman Putnam moved to  
45 file intervener paperwork. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

46 b) **2016 Operating Budget Discussions Regarding Police Vehicles.** Town Administrator Mark Bender asked  
47 that Police Chief Viola and Police Captain Frye please come up for this discussion. After conducting research  
48 on the Police vehicles, the results were reviewed. Captain Frye conducted the research and provided a summary  
49 of the details. There was some discussion about which make/model the police use or have used in the past.

50 c) **Road and Bridge Updates.** The Jennison Road and Savage Road bridges are now open. Mark Bender ex-  
51 plained the Jennison Road bridge is unique and is an upgrade from what was there before. Mark Bender asked  
52 if an official dedication or ribbon cutting should be done? Selectman Putnam does not see a need for that, since  
53 there are several bridges and it would need to be done for them all. Selectman Putnam noted that Jennison  
54 Road looks great and said they did a nice job.

55  
56 **6. DISCUSSIONS**

57 a) **2016 Operating Budget / Warrant Articles.** Chairman Fougere indicated that 8 hours were spent on Sat-  
58 urday, November 14, to discuss the 2016 budget and warrant articles. This had the Board of Selectmen, Budget

APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 11/23/2015

1 Advisory Committee, the Town Administrator, Finance Director and many others in attendance. Chairman Fougere  
2 asked everyone how they think it went and if anyone had ideas on savings on the budget. Chairman Fougere  
3 thought the meeting was productive. Vice Chairman Federico felt the Saturday meeting was great and it is one of  
4 the ways for both the Board of Selectmen and BAC to address all the questions from both sides. Mark Bender said  
5 the BAC met Wednesday in a Work Session. Jack Sheehy will follow up on it and get feedback. Mark Bender  
6 asked the Board if there were any questions, comments or suggestions for additional changes to the budget? Chair-  
7 man Fougere talked with Mark Bender about the electronic time sheets report for \$42,000. It was asked if there is  
8 any other option, a less expensive way to explore. Chairman Fougere does not see a lot of places to cut so he is  
9 looking at all line items. Selectman Bauer said Jack was a little under the weather, but they discussed it and they are  
10 putting together some information to address at the next meeting. Chairman Fougere asked for the information to  
11 come to Board members before the next meeting. Town Administrator Mark Bender said the DPW budget was in-  
12 creased by \$200,000 for paving. Some of the \$200,000 would be for drainage and ditch work. Vice Chairman  
13 Federico said we have been underfunding the road budget for years, and we are trying to get the roads caught up so  
14 he would not want to change that.

15  
16 Chairman Fougere asked if the salary increase and merit raise is still being looked at. Mark Bender said it is and the  
17 subgroup needs to come up with procedures to bring to him or to the Board of Selectmen, and that might end up  
18 going out to 2017. In the past the town has done a merit increase, and the department head has the flexibility to give  
19 more or less. Mark Bender said last year there were no merit increases. Vice Chairman Federico asked when the  
20 last time a 3% increase was given? Selectman Putnam is not a fan of across the board increases. Some people work  
21 their butt off and some do not. Selectman Putnam thinks they need to earn an increase. Chairman Fougere said that  
22 was the goal, to come up with that so that everyone would get 2% and then the department head would decide who  
23 gets the extra, but the procedure is not done yet. The COLA is 2.25%. Selectman Putnam wants to think about this.  
24 Selectman Bauer said a merit increase is always a problem with fairness. Chairman Fougere feels the department  
25 head should decide.

26  
27 Mark Bender will get the information on the increases of the past few years. Chairman Fougere said there were  
28 some years when there were no raises. It would be good to look at the past 4-5 years.

29  
30 Town Administrator Mark Bender said that a list of warrant articles was sent out to members for review. Chairman  
31 Fougere stated that proposals on the estimate for Brox property gravel and how much it is worth and how much it  
32 would cost to re-grade the open pit have been discussed; a few of the quotes have been received on the gravel. Once  
33 it is all received, he would like to talk about it and then change the warrant article accordingly. Three responses  
34 have been received.

35  
36 Chairman Fougere said that DPW has the big ticket items on the ballot in 2016 plus the stormwater warrant article.  
37 Vice Chairman Federico asked if the Board could get clarification from the attorney on changing a warrant article at  
38 deliberative session so that everyone has a clear understanding on making any changes. Selectman Putnam believes  
39 the moderator makes it clear what can and cannot be changed. Vice Chairman Federico wants it all clear before  
40 deliberative session so that we do not spend hours re-hashing it at deliberative. Once the Board is at deliberative  
41 session, the petition warrant articles can be changed or amended by anyone, but right now, the Board cannot change  
42 anything in the petition warrant articles. Mark Bender said numbers will be assigned to each warrant article and the  
43 Board can take a position and go through one by one. Chairman Fougere said the Board should do that at the next  
44 meeting; Warrant Articles will be the priority.

45  
46 b) **Fletcher Superfund Site.** Lee Mayhew wanted to talk to the Board about the Fletcher site and notify the  
47 Board of certain details of this project. One of the things was that the drainage pipe for Fletcher and the integrity of  
48 the cap is the Town's responsibility. When the cap is created, you cannot touch the integrity of it. Chairman Foug-  
49 ere said the town is finally moving on this; it has been a long time. Town Administrator Mark Bender said that Mr.  
50 Mayhew provide really good information; the pipe being referred to runs from Mill Street to Elm Street and picks up  
51 adjacent to the cemetery to the river. We have ordered the first portion of that pipe already. The soil is currently  
52 being excavated and there will be a parking lot about 200' x 65'. The rest will have new soil brought in. Chairman  
53 Fougere noted the drainage on this project is very important. Mr. Mayhew added that the Savage well being cleaned  
54 up and possibly being returned to the town is another item he wished to discuss. Chairman Fougere indicated the  
55 Board had a long meeting with EPA but the analysis of the ground water down there showed the contamination is in  
56 the bedrock, so getting it back to be able to use it is not going to happen. Mr. Mayhew commented that the town  
57 should find that agreement so that it can get that money back.

**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 11/23/2015**

1           **c) Harvest Drive.** Harvest Drive has been paved, but we do have a punch list. Mark Bender called Meridian to  
2 check as-builts, that is the biggest item. There are some small things. There is \$6,000 in the bond to cover the ex-  
3 penses; the bond was supposed to allow construction of sidewalks and he does not know if that money was put up.  
4 Chairman Fougere said that was discussed on the bond release of this and if there was enough money. Mark Bender  
5 thinks we will be in good shape and it all leads up with the Board accepting the road and allowing DPW to plow.  
6 Mark Bender said now that it is paved, can the Board give a conditional approval to plow in case it snows while the  
7 list is getting completed. Vice Chairman Federico moved to allow snow plows to clear Harvest Road for the next  
8 three weeks (12/14/15) in order for the punch list to get completed. Selectman Putnam seconded. All were in favor.  
9 Motion passed 5/0.

10           **d) Convenient MD New Facility.** This is a new medical facility that is opening on route 101A in Nashua and  
11 members are welcome to visit at the Open House on December 16, 2015.  
12

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

14           **a) FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Daniels  
15 indicated the Traffic Safety Committee will be meeting on Monday, November 30, 2015 at 4:00 p.m. in the Police  
16 Conference Room. Selectman Daniels indicated the Recycling Committee has placed recycling barrels in the oval  
17 and they would like to get them into the school system. Recycling signs are throughout town, an inventory has been  
18 done, but the signs are not located in the downtown area. The signs have been there about 25 years or more; this  
19 will be a subject for the Recycling Committee to discuss. Chairman Fougere suggested if the Transfer Station had a  
20 display that shows how much is collected in recyclables (financial gain), it might drive it home for residents.

21           Vice Chairman Federico indicated Granite Town Media has been very busy recording the various meetings; the  
22 new Town Hall meeting room is ready to go. The Planning Board meetings will now be on the 1<sup>st</sup> and 4<sup>th</sup> Tuesday  
23 each month and Selectman Federico will be able to attend as the Board representative.

24           **b) OTHER ITEMS (that are not on the agenda).** The consensus of the Board was to not hold the 5<sup>th</sup> Mon-  
25 day forum on November 30.  
26

27 **8. APPROVAL OF FINAL MINUTES.** There were no minutes presented at tonight’s meeting.  
28

29 **9. INFORMATION ITEMS REQUIRING NO DECISIONS.**  
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31 **10. NOTICES.** Notices were read by Chairman Fougere.  
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33 **11. NON-PUBLIC SESSION.** There was no non-public session held this evening.  
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35 **12. ADJOURNMENT:** Selectman Putnam moved to adjourn at 8:10 p.m. Selectman Daniels seconded. All were in  
36 favor. Motion passed 5/0.  
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41 Mark Fougere, Chairman  
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Kevin Federico, Vice Chairman

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45 Gary Daniels, Member  
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Katherine Bauer, Member  
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49 Mike Putnam, Member