

**APPROVED**  
**MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**  
January 25, 2016

**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:** 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.

**2. APPOINTMENTS:**

**5:30 p.m. – Discretionary Preservation Easement and Abatements.** Town Assessor Marti Noel was invited for this discussion and explained this discretionary preservation easement was written ten years ago. Ms. Noel contacted the property owner about an extension on the easement or to see if the owner would like to end it. The owner wanted to end the easement. The Land Use Change Tax (LUCT) was 10% and tonight is primarily to discuss removing that and signing the warrant that bills for the 10% value. Chairman Fougere said when the easement was placed, they had a lower property tax. Ms. Noel said that was before her time but she believes that is the case. Chairman Fougere asked what does the owner have to do to get the reduced value. Ms. Noel explained it was a historic building and the property must be visually attractive to the town. The benefit is it allows the owner to do restorations without adding value to the building and it costs a lot to preserve these buildings to the original state. Some maintenance was done on this. Selectman Putnam moved to approve the release of the discretionary preservation easement as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

Town Assessor Marti Noel presented the abatement applications she has recommended for approval (5). Two were veteran credits and they purchased new homes in town and wished to move the credit with them but it was moved after the taxes were billed. Selectman Putnam moved to approve as recommended. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

**5:50 p.m. – Conservation Easement -** Lincoln Daley, Director of Community Development, explained this is an easement related to a subdivision which would grant open space to the town and would allow access to one property within the subdivision. This has been reviewed by town counsel and would allow access through the easement to parcel 45-3-51. 2.5 acres will be put into a permanent open space conservation easement. Eleven acres are buildable. The easement creates open space to be conveyed to the town. The corridor is dedicated to the preservation of trails. This would be an opportunity to utilize the trail system and maintain it going forward. Town Administrator Mark Bender asked if there is shared access through the owner's driveway? Mr. Daley said that is the second easement to allow the town to maintain and repair the slope-related work and access to public space into the open space and will connect to open space deeded to the town going forward. Chairman Fougere asked if the town will own this? Mr. Daley said it is an open space for public access. It goes up to Boynton Hill Road. Chairman Fougere asked if the town will get a deed? Mr. Daley said the town will own that portion. Selectman Putnam asked how many houses are out there. Mr. Daley said there are 54 lots. Chairman Fougere said this has been in front of the Planning Board for a long time. Audrey Fraizer has worked closely with Lincoln Daley and the applicant. Selectman Putnam moved to approve the easements as presented. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

**3. PUBLIC COMMENTS. (items not on the agenda).** Suzanne Fournier, Brox Environmental Group Coordinator, commented that the Board will post the warrant articles today, which is the deadline, as it is the Monday prior to Deliberative Session. It is the last day to post the warrant but it is not posted right now; she asked why and was told that changes might be made to the warrant articles tonight, that is why it has been delayed. Today should start when

1 the voters can change the articles. The statute states the selectmen may change the language until the day the war-  
2 rant is posted. So it will be posted January 25. Ms. Fournier feels the deadline should have been Sunday (yester-  
3 day) for the warrant to be posted and that today begins when voters can begin to make changes. It is important to  
4 know that the Board of Selectmen has taken an extra day to make changes. All of Monday is now gone, it is not fair  
5 and she is disappointed at the handling of this warrant. Ms. Fournier thinks the Board has misunderstood the rules.  
6 Ms. Fournier had no further comments.  
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8 **4. DECISIONS.**

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- 10 a) **CONSENT CALENDAR.** Chairman Fougere asked if any member wished to remove any items from  
11 the Consent Calendar for discussion. There were no items removed. Selectman Putnam moved to approve  
12 the Consent Calendar as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0.  
13 1) **Request to Approve (1) Taxicab Operator Permit Application.** The request to approve one taxicab  
14 operator permit application for Charles McDonough was approved.  
15 2) **Request for Approval of Donations to the Heritage Commission "Save the Swing Bridge" fund in**  
16 **the amount of \$1,035.** The request from the Heritage Commission to accept the donations in the  
17 amount of \$1,035 was approved.  
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19 b) **OTHER DECISIONS.**

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21 **5. TOWN STATUS REPORT.**

22 1) **Budget and Budget Advisory Committee (BAC) Update.** Mark Bender explained the BAC has taken a  
23 position on all articles except three. Warrant Article 23 is one of the articles they have not taken a position on.  
24 It was revised after the most recent BAC meeting. The changes were minor. The requirement is that the war-  
25 rant articles be posted today, the Monday before Deliberative Session. Mr. Bender checked with NHMA and  
26 Town Counsel and both advised the changes could be made today and posted after the changes. The staff will  
27 be well prepared for the Saturday Deliberative Session at 9 a.m. At the BAC meeting, there were discussions  
28 about setting aside 175,000 cubic yards of material for future town use. The thought was to keep the operation  
29 in one area of the property. The language in the warrant article is to further clarify the intent that it will be con-  
30 sistent with the Master Plan. These are things that have been in the warrant previously. Selectman Putnam  
31 moved to post the language as presented. Vice Chairman Federico seconded. All were in favor. Motion passed  
32 5/0. Copies of the revised warrant articles are available on the staff table if anyone is interested.

33 2) **Update 127 Elm Street.** A clean up and assessment (mechanical/plumbing/HVAC) will be done on this  
34 building. The Board can then appoint a citizens committee regarding potential future uses. We will get a num-  
35 ber of people available to work on that committee. Selectman Putnam offered to work on that committee and  
36 can provide plumbing and HVAC guidance to the staff and can also check the electrical. The concern of  
37 Chairman Fougere is if we get a group to look at it and then establish a committee, they might come up with  
38 additional concerns. Selectman Putnam said he can do a preliminary review with Mr. Bender and an electrician.  
39 Mr. Bender would like a licensed electrician to take a look. Vice Chairman Federico said it warrants a walk  
40 through by the building inspector as well. Volunteers for this committee can be solicited through the website.  
41 Denise Hennessy, resident, stated her concern is the high voltage area. That area has not been checked out and  
42 she asked what the cost would be to get it check out. She thinks of the animals in the area and what will that be  
43 used for or will it be taken out. Chairman Fougere indicated that depends on what the town will use it for.  
44 Three-phase voltage is for heavy machinery. Mr. Bender said we need to look at how much is going in and then  
45 check it out. There were no further comments.

46 3) **Update South Street.** Mr. Bender indicated the South Street bid was posted January 7, 2016, the plans and  
47 bidding documents are available starting January 14. Bids are due February 4, 2016 at 2 p.m. Lincoln Daley  
48 will be in to discuss the results of the bid with the Board.  
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50 **6. DISCUSSIONS**

51 a) **Communications from the Water and Wastewater Commissioners** – Selectman Putnam indicated the  
52 WWTF has submitted a letter to the Board of Selectman which was read into the record regarding broadcasting  
53 the meetings of the Board of Commissioners (BOC). The BOC have obtained legal direction and they are with-  
54 in the scope of the required documentation. The minutes are on the town website and meetings are open to the  
55 public. The BOC declines the request to have the meetings televised. The letter is signed by all Commission-  
56 ers. Chairman Fougere said this has been discussed over the past several months and there has never been a  
57 demand to televise the meetings. If the Water and Sewer users want the meetings televised, they can contact the  
58 BOC directly. Selectman Daniels stated there is nothing keeping anyone from attending and recording the

meetings. Selectman Putnam understands that and explained the meeting room at the WWTF plant is small and it would be a distraction and would interfere with the meeting. Chairman Fougere suggested the letter be submitted to the Chair of Granite Town Media, the BOC is an elected Board and the Board of Selectman cannot force anything on the BOC. Selectman Daniels asked if that means if there is a request to televise, would they need to televise? He is not sure the legalities of that. Selectman Putnam said we can cross that bridge when we get to it.

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

a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES** – Selectman Daniels explained the Traffic Safety Committee (TSC) met this afternoon about the crosswalk in front of The Elms. Good information was given by the Police and DPW. There are four crosswalks within 800’. Normally it is recommended that they not be closer than 190’. The police did a detail to check the number of people using the crosswalk, and six people crossed in the morning and six people crossed in the evening and there were no incidents. There were no incidents of drivers failing to stop. The safest crosswalk is at the corner of Elm Street and West Street and has a crossing light. This provides the safest crossing because it provides a light with the crossing. The Traffic Safety Committee recommended that the town get rid of the crosswalk in front of The Elms. There are a lot of distractions in that area. The TSC wants to do a crosswalk assessment throughout town. Chairman Fougere said that particular intersection is not what it was five years ago when the Knights of Columbus was there. It is not a quiet side street anymore. Vice Chairman Federico asked what the discussion was about the crossing that is closer to the oval. Selectman Daniels said the TSC did not discuss that crossing. Selectman Putnam moved to eliminate the crosswalk in front of The Elms and have the TSC do a study of the rest of the Milford crosswalks. Selectman Bauer seconded. All were in favor. Motion passed 5/0. Chairman Fougere asked how to get rid of the crosswalk paint. Selectman Putnam said it could be painted over with black. Vice Chairman Federico indicated the new meeting room in the Town Hall basement is set up for video and can now be used to broadcast meetings.

b) **OTHER ITEMS (that are not on the agenda)** – A complaint was received regarding Border Street and it was forwarded to the Water/Wastewater Treatment Facility; the work is a combination of water utilities and DPW and both Milford and Amherst. It will be taken care of and will be tracked by both Milford and Amherst as soon as the weather is good. Chairman Fougere asked if the property owner was contacted. Selectman Putnam said they have been notified.

8. **APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of December 21, and December 28, 2015 BOS meetings and January 4, 2016 BOS Work Session as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

9. **INFORMATION ITEMS REQUIRING NO DECISIONS.**

10. **NOTICES.** Notices were read by Chairman Fougere.

11. **NON-PUBLIC SESSION**

12. **ADJOURNMENT:** Vice Chairman Federico moved to adjourn at 6:20 p.m. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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Mark Fougere, Chairman

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Kevin Federico, Vice Chairman

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Gary Daniels, Member

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Katherine Bauer, Member

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Mike Putnam, Member