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2 **APPROVED**  
3 **MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**  
4 August 8, 2016

5 **PRESENT:** Mark Fougere, Chairman  
6 Kevin Federico, Vice Chairman  
7 Gary Daniels, Member  
8 Mike Putnam, Member  
9 Katherine Bauer, Member  
10 Mark Bender, Town Administrator  
11 Darlene J. Bouffard, Recording Secretary  
12 Dave Bosquet, Videographer  
13

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

15 **INSTRUCTIONS:** Chairman Fougere called the meeting to order at 5:30 p.m., introduced Board members and  
16 then led the audience in the Pledge of Allegiance. Chairman Fougere indicated that those people in the audience  
17 who want to speak or add to the discussion should please use a microphone in order to be heard on the PEG Access  
18 live broadcast.  
19

20 **2. APPOINTMENTS:**

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22 **5:30 p.m. – Citizens Complaint.** Chairman Fougere asked if Mr. Moulton was present. There was no response  
23 from the audience, therefore this appointment was not held.  
24

25 **5:35 p.m. – Property Abatement Application, Elderly Exemption Application and Blind Exemption Applica-**  
26 **tion.** Town Assessor Marti Noel presented two abatement applications recommended for approval. The application  
27 took a little longer than anticipated, however, the Board can still take up applications after the July 1 deadline. One  
28 application was with Fairpoint for which they had an appeal outstanding since 2011. They are still trying to resolve  
29 issues. The Department of Revenue Administration (DRA) has developed a formula for the poles but it will not be  
30 ready until 2017. Ms. Noel is beginning the resolutions for outstanding appeals and abatements without attorney  
31 intervention. She expects the formula as identified in the memo and requests approval for these abatements. Ms.  
32 Noel thinks once the formula is finalized they can settle things out. That is one of the big items where the values are  
33 high. The second application is a commercial property; some of the information was last year's information so there  
34 were ongoing discussions. Ms. Noel would recommend approval on both these abatement applications. Selectman  
35 Putnam moved to approve the abatement applications as presented. Selectman Daniels seconded. All were in favor.  
36 Motion passed 5/0.

37 Ms. Noel explained this Elderly Exemption applicant has been receiving the exemption for several years.  
38 The problem is this person had some health issues and thought someone was taking care of the exemption for her  
39 but they did not. The application was filed late but Ms. Noel would recommend approval for it as it clearly falls  
40 under the misfortune category. Selectman Putnam moved to approve the elderly exemption application. Selectman  
41 Daniels seconded. All were in favor. Motion passed 5/0.

42 Ms. Noel explained she received one application for blind exemption; the paperwork was filed but getting  
43 all of the supporting paperwork delayed the applicant. Ms. Noel would recommend approval. Selectman Putnam  
44 moved to approve the blind exemption. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

45 Selectman Daniels indicated he has been contacted by some people about the Assessment letters for the  
46 reval; asking what could be the cause of some property values going up and some going down? Ms. Noel answered  
47 that certain segments of the market have gone up and some have gone down, the reval is to adjust based on the mar-  
48 ket values. Condos have started coming back and seem to be doing well. Chairman Fougere said if anyone has  
49 questions, they can make an appointment to discuss. Ms. Noel indicated the appointments were set up between Au-  
50 gust 5 and August 9, so as far as calling for an appointment it might be too late but the Assessor can always talk to  
51 people about their assessment any time.  
52

53 **5:50 p.m. – Departmental Update – Police Department.** Police Chief Mike Viola provided an update for the Po-  
54 lice Department, comparing the numbers from 2015 and 2016 to date. Chief Viola stated the Department gets out of  
55 MACC Base what is needed, specifically communication and interoperability. Chief Viola is taking a look at other  
56 avenues to take to improve the service or move the service to the Police Department or just take it over. We have  
57 worked with the MACC Board of Governors, met MACC Base personnel and talked about communication issues.  
58 The biggest problem is officers having information repeated. That is the biggest goal to fix. Mark Bender asked if

1 that is with the portable radio and mobile units? Chief Viola said it is both, it is a whole lot of things. We are trying  
 2 to look at everything that must be fixed in order for officers to do their job. Chief Viola and staff have reached out  
 3 to a company to see what the cost would be if we were to move the dispatch center to the PD. We met with Fire,  
 4 Ambulance and DPW to hear everyone's concerns. If we move the communication center, we want to be sure the  
 5 service stays the same or is better for all departments involved.

6 Some officers on light duty have been working on cleaning out the evidence and property rooms. Training  
 7 is ongoing for supervisors, leadership, programming; it is different than work on the road and Chief Viola wants to  
 8 give the people the tools to be successful. Selectman Putnam asked if there is a test procedure? Chief Viola said it  
 9 is a written test, then an oral test and process. We had some outside chiefs come in for the oral board to get another  
 10 perspective. Currently, the Standard Operating Guidelines (SOGs) are being updated; the PD has a Facebook page  
 11 and a twitter account to communicate with people. Things like Amber Alerts could be put on Twitter. The depart-  
 12 ment is building relationships with high school students and breaking down barriers. Chief Viola also noted the PD  
 13 has a good relationship with all of the emergency services.

14 Vice Chairman Federico asked about accreditation; is that just an inspection? Chief Viola answered that is  
 15 a two year process, there are costs associated with it but you get decreased insurance costs. They have set guide-  
 16 lines, but we have to be within the parameters. Selectman Putnam asked if it would lower our ISO rating? Chief  
 17 Viola did not believe it would, but it helps with insurance. Chief Viola said it has to do with the size of the commu-  
 18 nity.

19 Chief Viola explained that when at full staff, the officers can rotate into the Detective Division to give them  
 20 experience with the detective side. Chief Viola stated with a few people on light duty, he is currently unable to do  
 21 that, but it is a good stepping stone for someone interested in it. Chief Viola was at full staff until July 9, it was the  
 22 first time at full staff since he joined Milford. The officers are taking a hard stance with distracted drivers and push-  
 23 ing enforcement on DWI and DUI. A Task Force was started in 2015 and they have done a good job and are often  
 24 involved in training for supervisors and management. There are three neighborhood watch groups in Milford.

25 Selectman Daniels thanked Chief Viola.

26  
 27 **3. PUBLIC COMMENTS. (items not on the agenda).** There were no public comments this evening.

28  
 29 **4. DECISIONS.**

- 30  
 31 a) **CONSENT CALENDAR.** Chairman Fougere asked if any member wished to remove any items from  
 32 the Consent Calendar for discussion. Selectman Daniels removed items 4a4 and 4a5 for discussion. Se-  
 33 lectman Putnam moved to approve the Consent Calendar items 4a1 through 4a3 and item 4a6 as presented.  
 34 Selectman Daniels seconded. All were in favor. Motion passed 5/0.

- 35  
 36 1) **NH RSA 31:95(b) Request for Acceptance and Appropriation of Unanticipated Revenues under**  
 37 **\$5,000.** The unanticipated revenues under \$5,000 were approved as follows:

Source	Amount	Purpose
Philip S. Aubrey O.D.	\$ 50.00	Donation to the Milford Police Dept. for the Badge and Patch Project Special Purpose Fund
Datron Dynamics Inc.	\$4,000.00	Donation to the Milford Police Dept. for the Badge and Patch Project Special Purpose Fund
Prof. Pool of NH	\$1,000.00	Donation to the Milford Police Dept. to be used For the New Police K-9 Special Purpose Fund

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 46 2) **Request for Approval of Donation to the Conservation Commission for \$1,100 in memory of Bill**  
 47 **Kokko Sr.** The Donation to the Conservation Commission in the amount of \$1,100 in memory of Bill  
 48 Kokko Sr. was accepted by the Board.

- 49  
 50 3) **Request for Approval for the Conservation Commission to host the Ghost Train Rail Trail 15**  
 51 **miler and ultra race on October 22 and 23, 2016.** The request for approval to host the Ghost Train  
 52 Rail Trail race was approved by the Board.

- 53  
 54 4) **Request for Approval of Building Permit Refund 130 Armory Road.** This item was removed for  
 55 discussion from the Consent Calendar by Selectman Daniels. Selectman Daniels asked why the town  
 56 would return the building permit fee. Mark Bender responded that the projects requesting refund (4a4  
 57 and 4a5 agenda items) have been withdrawn therefore the project did not proceed. Selectman Putnam

1 moved to approve the refund of agenda item 4a4 in the amount of \$65. Selectman Daniels seconded.  
2 All were in favor. Motion passed 5/0.  
3

4 **5) Request for Approval of Building Permit Refund 53 High Street.** This item was removed for disc-  
5 cussion from the Consent Calendar by Selectman Daniels. Selectman Daniels asked why the town  
6 would return the building permit fee. Mark Bender responded that the projects requesting refund (4a4  
7 and 4a5 agenda items) have been withdrawn therefore the project did not proceed. Selectman Putnam  
8 moved to approve the refund of agenda item 4a5 in the amount of \$90. Selectman Daniels seconded.  
9 All were in favor. Motion passed 5/0.  
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11 **6) Request for Annual Approval of State DRED owned land.** The request for annual approval of State  
12 DRED owned land (Fire Tower Lookout) was approved.  
13

14 **b) OTHER DECISIONS.**

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16 **5. TOWN STATUS REPORT.**  
17

18 **1) South Street Update.** Mark Bender provided an update on the South Street project, which is on schedule,  
19 curb work is ongoing. Test panels for the “brick” and electrical work for overhead and underground utili-  
20 ties is moving along and on schedule. Selectman Putnam asked if the work includes the damage done to  
21 the water department risers? Mark Bender said it does, they will be taken care of in the next two weeks.  
22 Chairman Fougere said there will be a lot more room on the street when complete. The sidewalks might be  
23 started (being poured) next week. Chairman Fougere asked that this be coordinated with the merchants.  
24

25 **2) Fletcher Site Update.** Town Administrator Mark Bender indicated the Fletcher Site work is on schedule  
26 and air quality results are on the town website. A fairly recent report is in tonight’s packets and both Mill  
27 Street and Keyes Field are showing satisfactory results. The Souhegan River was added to the scope last  
28 week and will be completed by the end of October and will require a temporary dam in the river around  
29 where they remove the material. Work at both sites are is more than 50% complete.  
30

31 **3) Energy Efficiency Projects.** Mark Bender, Jack Sheehy and Rick Riendeau are working on energy effi-  
32 ciency projects. The focus will be on street lights, indoor lighting, and HVAC systems. They are trying to  
33 install some test street lights to get feedback from residents and they would like to know the preference be-  
34 fore making any final decisions. One LED bulb has been replaced in the oval; see if you can figure out  
35 which one. Mark Bender will give a prize to the first person that identifies the bulb that was replaced.  
36

37 **4) Brick Project.** The brick project is making slow and steady progress. It has been a little behind schedule  
38 since the beginning. It is estimated the oval interior will be finished within two weeks then start on the  
39 brick ribbon around the oval. Looking at completion mid-September.  
40

41 **5) Guidance on 2017 Operating Budget.** Mark Bender indicated the staff would like guidance on the 2017  
42 budget and anticipated warrant articles and to possibly have a budget kick off meeting. Chairman Fougere  
43 asked that it be on the next agenda to discuss. Mark Bender said staff would like to know the big drivers,  
44 what are we looking at for the pressure points, is it health insurance, benefits, contracts? There are some  
45 things that are locked in but are there any surprises they are not aware of. Mark Bender can identify some  
46 of those drivers.  
47

48 **6. DISCUSSIONS.**

49 **a) Traffic Safety Concern – Souhegan River Trail and Mont Vernon Street.** A concern has been raised by  
50 several abutters regarding the proposed driveway/roadway for the Boys & Girls Club for which they request it be  
51 brought to the Traffic Safety Committee for review. This application was before the Planning Board but withdrawn  
52 because the easement language needs clarification. Selectman Putnam moved to table this issue until it becomes  
53 viable, when the easement language is finalized. Selectman Bauer seconded. All were in favor. Motion passed 5/0.  
54

55 **b) Review of Potential Land Donation, Lot 6-15.** The owner of Lot 6-15 has indicated they would like to  
56 donate this parcel of land to the Town of Milford, without anything in return. It has been known as an old ball field  
57 in year’s passed, close to the Wilton town line. Selectman Putnam moved to accept the gift of property. Vice  
58 Chairman Federico seconded for discussion. Vice Chairman Federico asked the size of the parcel. Selectman Bauer  
responded it is between 13-17 acres. Chairman Fougere stated there is a Penstock (a big metal pipe) that runs

1 through this parcel from the river and it is leaking. Chairman Fougere stated it is a nice piece of property but we  
2 would need an easement to get to it, there should be an environmental assessment done prior to acceptance. The  
3 town does not want to get someone else's problem, if there is a problem. Chairman Fougere would like to get input  
4 from other committees or boards on this. Selectman Putnam withdrew his motion. Selectman Putnam moved to  
5 start the process of looking into this property donation and have staff look into it as well. Vice Chairman Federico  
6 seconded. Chairman Fougere does not know the history of the site. Selectman Daniels asked if this can all be done  
7 before the end of the year, as requested by the donor. Chairman Fougere said an environmental assessment can be  
8 done quickly; but we want something that certifies that the parcel is clean. Selectman Putnam suggested having  
9 Fred Elkind look into it and its history. All were in favor. Motion passed 5/0.

10 c) **Review of Revised Harassment Policy.** Mark Bender indicated the staff formed a Personnel Committee this  
11 year to review Policies and Procedures. This is the first result of a policy change coming forward from that commit-  
12 tee. Selectman Bauer noted the HR Director has led this up. HR Director Karen Blow said the committee sent the  
13 policy to Primex and their suggestion is that it is more of a summary and it looked like two policies; one single doc-  
14 ument is needed so the committee looked at samples of other policies and tweaked it and removed redundancies.  
15 The language was changed so now it is called the harassment policy and it also addresses sexual harassment. The  
16 revised policy was sent for review and Primex gave it approval to move forward. The layout is basically the same  
17 but what was taken out was a reference to provide information regarding harassment complaints to a prospective  
18 employer. It was felt by Primex that it was not important to keep that in the policy. The Personnel Committee is  
19 comfortable with this policy.

20 Selectman Daniels stated harassment is subjective, and he asked questions about the language regarding job  
21 performance. Some people might be talked to about their job performance and they might interpret that as harass-  
22 ment. Is there a clear way to delineate between the two? Karen Blow said that would be a performance issue which  
23 would be separate from harassment; the policy provides the difference. What concerns Selectman Daniels is when a  
24 job performance review is given and an employee contends it and states that it was harassment. Ms. Blow does not  
25 think it speaks to that, but it states if you feel you are being harassed by your supervisor you would go up the chain  
26 of command. If anyone witnesses harassment, it is their job to report it. Selectman Daniels asked if an employee  
27 could go directly to the Human Rights Commission? Karen Blow said they could, we cannot control what people  
28 will do. Selectman Putnam feels that yes, there is enough delineation, the supervisors that see an issue will define  
29 the issue. He does not want to confuse discipline with harassment. Ms. Blow said if something like that came up, it  
30 would be pointed out that they were discussing employee performance. The two have to be acknowledged through  
31 performance issues. Chairman Fougere asked if a vote is required? Mark Bender a vote is needed, Selectman Put-  
32 nam moved to approve the revised harassment policy as presented. Selectman Daniels seconded. All were in favor.  
33 Motion passed 5/0.

34 d) **NHMA Legislative Policy Process.** Chairman Fougere suggested only talking about the items we do not  
35 agree about. Selectman Daniels said the August 12 deadline is only for the new proposals. The Board should ap-  
36 point someone to be the delegate to vote on September 23. Selectman Daniels knows that some of the legislation in  
37 tonight's packet needs to be talked about. Selectman Daniels said if we think some of these could be better, the  
38 Board loses that opportunity as of August 12. Chairman Fougere asked that if members have any questions, send  
39 them to the Chairman to consolidate for the agenda on August 22.

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41 **7. SELECTMEN'S REPORTS/DISCUSSIONS.**

42 a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Vice Chairman Fed-  
43 erico received positive responses from the town employees and residents that use Nixel. Vice Chairman Fed-  
44 erico will meet with Jeff Marshall to identify how we can best use Nixel after a few more things are ironed out.  
45 Mark Bender asked if the added capabilities might be implemented in the current fiscal year or next year's  
46 budget? Vice Chairman Federico said if we can get it going quickly, he would like to implement it in 2016 at a  
47 cost of \$250/month.

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

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50 **8. APPROVAL OF FINAL MINUTES.** Vice Chairman Federico moved to approve the minutes of June 27,  
51 2016 as presented. Selectman Daniels seconded. All were in favor. Motion passed 5/0.

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

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

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57 **11. NON-PUBLIC SESSION.** Vice Chairman Federico moved to enter into non-public session at 6:50 p.m. in  
58 accordance with RSA 91-A:3,II (a) Personnel and (c) Reputation. Selectman Bauer seconded. All were in favor.

**APPROVED MINUTES OF BOARD OF SELECTMEN MEETING - 08/08/2016**

1 Motion passed 5/0. The non-public minutes of June 27, 2016 (Personnel and Reputation) were approved on motion  
2 made by Selectman Putnam. Selectman Daniels seconded. All were in favor. Motion passed 5/0. After discussion  
3 Chairman Fougere announced that in non-public session two issues were discussed and one decision was made.  
4 Vice Chairman Federico moved to seal the minutes of the NPS session. Selectman Putnam seconded. All were in  
5 favor. Motion passed 5/0. Vice Chairman Federico moved to come out of non-public session at 7:35 p.m. Select-  
6 man Putnam seconded. All were in favor. Motion passed 5/0.  
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8 **12. ADJOURNMENT:** Selectman Putnam moved to adjourn at 7:35 p.m. Selectman Daniels seconded. All were in  
9 favor. Motion passed 5/0.  
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14 Mark Fougere, Chairman

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Kevin Federico, Vice Chairman

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18 Gary Daniels, Member

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Katherine Bauer, Member

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22 Mike Putnam, Member