

APPROVED
MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING
January 26, 2015

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

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

INSTRUCTIONS: Chairman Daniels called the public meeting to order at 5:50 p.m., introduced Board members and then led the audience in the Pledge of Allegiance. Chairman Daniels 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 Daniels announced that in non-public session, the Board discussed a legal issue and one vote was taken pertaining to a legal issue.

2. APPOINTMENTS:

5:30 p.m. – Non-Public Session (RSA 91-A:3II(e) Legal. Selectman Putnam moved to enter non-public session for a legal discussion. Selectman Bauer seconded. All were in favor. Motion passed 5/0. After discussion, the Board voted on one legal issue. Selectman Putnam moved to come out of non-public session at 5:45 p.m. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

6:00 p.m. – Library Presentation. Michelle Sampson, Library Director, introduced Ron Lamarre, Architect, and Chris Costantino and Kim Paul, Library Trustees and played a short video concerning the disrepair at the current library. Ms. Sampson noted that Milford really needs this new facility. This video is also on the Library website and the town website. Ms. Sampson gave a presentation on the current Library condition and usage, noting that currently 10,000 – 12,000 people visit the Library every month. The Library draws people to the oval. There are approximately 15,000 people that attended Library programs last year. One of the biggest needs currently is the need for community space. Chairman Daniels asked how the current building does not meet ADA compliance, as shown in the presentation. Ron Lamarre, Architect, said that during construction there were some issues with the builder, for example, at the top of the stairs there is a lip that is a tripping hazard. Chairman Daniels said there is an elevator at the Library which gives access to all of the floors, so what is not compliant? Mr. Lamarre responded one of the elements of ADA is an elevator, however the stairs also must be ADA compliant, the regulations have requirements for an elevator, but the stairs must be accessible, the door handles must be a certain type, the turning radius must meet regulations. It is not only the elevator, it is egress, and the stairs do not meet the modern code. ADA came into the codes in 1992; then in about 2006 ADA realized a lot of people were fixing things; they did not want to be so strict to bring the whole building up to code. Now if anything is brought up to date, the whole building must be brought into ADA code. In looking at renovation versus new, the regulations were different; but now, if a renovation were done, the entire building must be brought up to the ADA code.

If the elevator does not work, Selectman Bauer said the stairs need to be handicapped compliant? Mr. Lamarre indicated it is an egress stairway, the only means of egress from the building would be the stairs. Both floors in the new building would come out on the street level. Ms. Sampson said the ADA issue is more than just the elevator. Selectman Federico has watched the disrepair video on television, and asked what would the construction time be on a new building. Mr. Lamarre responded the 8,100 sf building out front would take about 10-12 months. Once that is done, the right side would move into the new addition and then that old portion would be torn down and the new building would be built on that same footprint. Selectman Federico asked if it is not a renovation, it is a tear down and re-build because site costs are the highest cost. That second piece would be built in another 10-12 months. Mr. Lamarre responded the 1950 portion would be the last portion to be torn down and re-built. The Library would remain open during all of this. Selectman Federico asked if the current building is safe? If it was unsafe, we would not let the public in there, but when was the last safety inspection done? Mr. Lamarre said the building is safe, but there are different levels of safe. It is an old building. Every year, Ms. Sampson explained, the Joint Loss Management Committee (JLMC) does a facility inspection with the town team. The Department of Labor re-

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cently inspected it, but that is what is at face value. We do have water problems which could lead to mold and air quality problems.

Selectman Federico is in favor of renovating the building, but he does not feel it is the right year for it, but that is just him. Once the town retires some debt, it would be a better time for this. Town Administrator Mark Bender said that construction goes for 28-36 months, where will materials and construction equipment be staged while the Library continues to be open? Mr. Lamarre said everything will be staged on the green space areas; the two homes that are currently vacant would be one of the first things to be done (be removed) which would allow for staging of materials and equipment. Selectman Bauer stated the 1986 addition is over 30 years old and the 1950 addition is over 50 years old, she feels it is time. Ms. Sampson added that bond rates are the lowest they have been for a long time, so it is better to bond this project. There will always be a reason why it is not the year, but when is the year? Selectman Bauer asked what are the interest rates right now? Jack Sheehy, Finance Director, said interest rates are at 3.5% for a 20 year bond, 30 years would have a higher interest rate.

3. PUBLIC COMMENTS. There were no public comments this evening.

4. DECISIONS.

a) **CONSENT CALENDAR.** There was no Consent Calendar presented this evening.

b) **OTHER DECISIONS.**

1) Scheduling of Selectmen at Polling Location for March 10 Town Vote. Selectman Bauer and Selectman Federico will be at the polls all day, switching on and off, and at the end of the evening Selectman Putnam will assist with sealing the ballots (3 Board members required). Chairman Daniels and Vice Chairman Fougere and Selectman Putnam are all running for different positions on the ballot and therefore will not be present during the voting.

5. TOWN STATUS REPORT – Town Administrator Mark Bender explained the Route 13 work has begun; and still pursuing all of the easements for South Street for all the adjacent properties and then this project will be ready to move forward. Town Administrator Mark Bender announced that all Town offices will be closed for the day tomorrow, Tuesday, January 27, due to the blizzard.

a) **Pipeline Task Force Charge Draft.** Selectman Putnam asked for feedback on the task force. If there is none, it can be moved forward and we can look into appointments. Vice Chairman Fougere talked with Mark Bender and they agree the charge mirrors the Hollis charge; if we are going to make a push in Concord, we need to build a case. Vice Chairman Fougere has no problem with the charge. Selectman Putnam made a motion to move forward. Selectman Federico seconded. All were in favor. Motion passed 5/0. Selectman Bauer noted that citizens think this is a Board of Selectmen decision, but it is not. Vice Chairman Fougere also added that it is not a Planning Board issue or a Board of Selectmen issue, our only course of action is to make our case with the Statewide Planning Board in Concord. The northern pass also goes in front of that Board. Any issues that have to do with the pipeline must be researched by this Task Force and any response must be very specific. Selectman Federico re-stated, it is not this Board of Selectmen or the Governor that make the case, it is this Task Force. Vice Chairman Fougere stated that FERC can override any decision, but it is based only on facts and figures. The pipeline company will have experts and we will have to supply this Task Force with experts. Vice Chairman Fougere supports the creation of this Task Force and is against the pipeline. Selectman Federico noted the Open House at the Hampshire Dome scheduled for tomorrow has been cancelled due to the weather, no new date has yet been set. Chairman Daniels said there is no deadline in the charge on having a final report. Vice Chairman Fougere said the town of Hollis Task Force is getting the final report tonight at a meeting and they started in about June, so the Task Force needs 6-7 months. If we bring in Town Counsel, we can nail down a timeframe. There is a lot of work involved. Vice Chairman Fougere feels Milford is getting short changed on review time and he is not sure how much time we have, he wants to nail that down. The feds do not make it that easy to understand. Chairman Daniels noted that is another reason why he would like a deadline for the report (Item 9 in the charge).

Town Administrator Mark Bender asked if the Board of Selectmen would want to have two residents appointed by the Board of Selectmen? Chairman Daniels said by the next Board meeting (February 9) we will have those appointments. Mark Bender said he can notify the commissions on the list to see if there is any interest from those members. Vice Chairman Fougere indicated if anyone is interested, they should notify the Town Administrator. Chairman Daniels would like to see the two residents on opposing sides so there is fair representation (one for the pipeline and one against the pipeline).

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- b) **Grant of Temporary License for Access of 127 Elm Street.** The Fletcher Site is set to begin in the spring, Mark Bender said we reached out to the Mayo Group and have received temporary access to 127 Elm Street for a two year period starting in January 2015. That will also have a one year extension.

6. DISCUSSIONS

a) **Budget and Warrant Review** – Chairman Daniels indicated all majority and minority reports have been submitted to Tina Philbrick. Vice Chairman Fougere noted that the Budget Advisory Committee (BAC) draft votes are in as well and they are not supporting the Budget; there are several warrants the BAC is not supporting. Chairman Daniels said there was one modification to a warrant recommended by the BAC, for the three year terms. Chairman Daniels agreed to amend the warrant so that when the Moderator appoints the members, they would be staggered. Selectman Putnam agreed. Chairman Daniels has drafted something and sent it to the BAC Chair for review. Chairman Daniels noted the proposed amendment to the BAC charge warrant will be offered at deliberative session.

7. SELECTMEN'S REPORTS/DISCUSSIONS.

a) **FROM PROJECTS, SPECIAL BOARDS, COMMISSIONS & COMMITTEES.** Selectman Putnam indicated Mill Street is being worked on and is looking good. Vice Chairman Fougere thanked the Board for their thoughts last week; it was a difficult week. Chairman Daniels indicated the Traffic Safety Committee met tonight and will bring forward recommendations on two of the items (Phillips Way stop sign and parking concern on Nashua Street). A possible new member for the TSC has requested to be appointed.

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

8. **APPROVAL OF FINAL MINUTES.** Selectman Putnam moved to approve the minutes of January 5, 2015 as amended. Selectman Bauer seconded. All were in favor. Motion passed 5/0.

9. INFORMATION ITEMS REQUIRING NO DECISIONS.

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

11. **NON-PUBLIC SESSION.** Selectman Federico moved to enter into non-public session at 7:05 p.m. Selectman Bauer seconded. Selectman Federico moved to approve the non-public meeting minutes of December 29, 2014 and January 5, 2015 as amended. Selectman Putnam seconded. All were in favor. Motion passed 5/0. Selectman Federico moved to re-seal the minutes of December 29, 2014 and January 5, 2015. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0. Selectman Federico moved to come out of non-public session at 7:18 p.m. Selectman Putnam seconded. All were in favor. Motion passed 5/0.

12. **ADJOURNMENT:** After non-public session, and seeing no further business to come before this meeting, Selectman Federico moved to adjourn at 7:18 p.m. Vice Chairman Fougere seconded. All were in favor. Motion passed 5/0.

Gary L. Daniels, Chairman

Mark Fougere, Vice Chairman

Katherine Bauer, Member

Mike Putnam, Member

Kevin Federico, Member