

**BOARD OF SELECTMEN
TOWN OF MADISON
FEBRUARY 11, 2014
MINUTES**

Selectmen Present: Chairman Michael Brooks, Josh Shackford, and John Arruda (arrived late).

Others Present: Town Administrator Melissa Arias; Fire Commissioners Joyce Elliott and Alan Gilman; firefighter Phoebe-Lynn Rand; Moderator George Epstein; resident Phoebe Rand; Attorney Peter Malia on behalf of the Ettinger's; Madison TV Videographer Emilie Riss.

Where and When Posted: Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 5, 2013.

Meeting Called to Order: By Brooks at 5:34 p.m.

APPROVAL OF MINUTES – Shackford made a **motion** to approve the Selectmen's Meeting minutes of January 28, 2014 and February 4, 2014 as prepared, seconded by Brooks, and so voted **2-0**.

APPROVAL OF MANIFEST – Shackford made a **motion** to approve the Manifest of February 10 – 14, 2014 in the amount of \$409,740.02, seconded by Brooks, and so voted **2-0**. The Manifest breakdown is as follows: \$22,318.67 for payroll; \$6,707.34 for payroll liabilities; \$63,762.01 for accounts payable; \$150,000.00 for the Madison School District (release date of 2/13/14); and \$166,952.00 for the Village District of Eidelweiss.

THERE WERE NO PUBLIC COMMENTS

2014 TOWN MEETING PREPARATIONS – Moderator George Epstein was in to talk about preparations for the 2014 Town Meeting on Saturday, March 15th and Election Day on Tuesday, March 11th. The Selectmen told Epstein that Attorney Gorrow will be present during Town Meeting and Epstein suggested that members of the audience get the language for any possible amendments to the Fire Department organizational article (#3) to Arias who will forward to Gorrow in advance of Town Meeting. Epstein asked why Article 3 (Fire Department organization) was placed on the warrant ahead of Article 4 (fire truck purchase), especially considering the polls need to be left open for one hour on the Article 4 ballot vote. Brooks said the warrant order is the preference of the Board of Selectmen and they want to address the administrative/organizational article before the voters debate whether to purchase a new fire truck this year. Brooks said the Fire Department organization Public Hearing should've alleviated some of the questions and lengthy discussion ahead of Town Meeting. Epstein asked if the Selectmen or Budget Committee would be reconsidering any warrant article recommendations before Town Meeting and the Selectmen didn't think so. Epstein talked about potential confusion the voters might have understanding the concept behind Article 12 which would transfer the balance of Madison TV's annual operating budget (considered part of the unassigned fund balance) into a new Expendable Trust to be used for future Madison TV purchases. Presently the funds remaining in their operating budget at the end of each year are returned to the General Fund and can't be used in subsequent years. Epstein asked whether the Selectmen's and Budget Committee's non-recommendations on Article 13 (money deposited into the Fire Truck Capital Reserve Fund) would be changed at Town Meeting if the fire truck purchase fails. Brooks said that would likely be the case; if the fire truck purchase passes the Selectmen will likely move to pass

over Article 13 but if the fire truck purchase fails the Selectmen will likely vote to recommend Article 13. Brooks said although the Town thought there would be three new petitioned warrant articles from charities or non-profits only one of the new groups turned in their petition with signatures. Epstein said it makes sense to consider the charity warrant articles individually and although he can't stop someone from asking to lump them together into one vote at the end of the meeting he can and will strongly discourage that from happening. Epstein said food will be provided by a town-affiliated organization like the Library Trustees or Historical Society. Before leaving Epstein indicated that he would be in attendance at next week's Public Hearing on SB2.

FIRE COMMISSIONER QUARTERLY MEETING – Fire Commissioners Gilman and Elliott were in to talk with the Selectmen for the first quarterly meeting of 2014. Gilman asked whether Chief Jeff Eldridge was going to get paid for the retroactive Chief's pay for the period November 27 – December 31, 2013 which was docked from the former Chief's fourth quarter stipend due to his resignation as Chief. Brooks explained how the Fire Department organizational vote at Town Meeting 2014 per RSA 154:1 won't take effect until March 16, 2015 and since the previous Fire Department bylaws that elected the Fire Chief were changed by the Commissioners without the appropriate permission of Town Meeting Brooks said his opinion is that the Fire Department membership needs to conduct an election amongst its members to officially put someone in the position of Fire Chief. Brooks said the Commissioners would be the group to certify the votes and protocol would need to be followed regarding member notification, nominations, and other details leading up to the election. Elliott indicated that an election was currently in the works. Shackford said he disagrees with Brooks in that Eldridge was put in the Fire Chief's position by the Commissioners, whether right, wrong, or indifferent, and should be paid for the time he's put in. Shackford said the balance for the end of 2013 would be just over \$1,000 but would need to be paid out of the 2014 Fire Department operating budget since the expenditure wasn't encumbered. Elliott said the department has a new member in Firefighter I training and two members in EMT training. Elliott said the Town is strapped for responders during the day because so many members work out of Town. Elliott said she asked Moderator Epstein to see to the Fire Department election so everything is done properly and he indicated his willingness to help. Shackford looked at the CIP to see what Fire Department vehicles are next in line for replacement. Brooks said he talked with Eldridge about sitting down with the Police Chief and Road Agent after Town Meeting to do a comprehensive look at the entire vehicle fleet and anticipated rotation schedule in an attempt to lessen the annual tax burden. Arruda arrived and joined the discussion. When asked about paying Eldridge, Arruda was in favor of issuing a check at the next check run to cover the 2013 period and mentioned the 2014 operating budget might have to be increased on the floor at Town Meeting because of it. This information will be passed along to Sue Stacey for processing and budgeting.

JANITORIAL SEALED BIDS – The Selectmen opened the sealed bids from three janitorial companies.

	G & D Cleaning	Moose Mtn. Home Care	TCPM
Town Hall Monthly \$	\$ 476	\$ 260	\$ 520
Library Monthly \$	\$ 281	\$ 180	\$ 350
Town Hall Refinish VCT	N/A	\$ 170	\$ 605
Library Refinish VCT	N/A	\$ 85	\$ 245
Town Hall Clean Carpets	N/A	\$ 135	\$ 495
Library Clean Carpets	N/A	\$ 125	\$ 675
Town Hall exterior windows	N/A	\$ 140	contracted out
Library exterior windows	N/A	\$ 125	contracted out

Motion: Shackford made a **motion** to take on Moose Mountain Home Care for cleaning of the Town Hall and Library beginning June 1, 2014, seconded by Arruda, and so voted **3-0**.

Decision: Arias will notify the successful bidder and ask Sue Stacey to calculate the additional cost that will need to be added to the General Government Buildings budget for 2014.

TRANSFER STATION ANNUAL FACILITY REPORT – The Selectmen reviewed the 2013 Annual Facility Report for the Transfer Station prior to its submission to the Dept. of Environmental Services. Arias explained the parts of the standardized form that were changed this year.

Motion: Brooks made a **motion** to have Arias sign and submit the Report to DES, seconded by Arruda, and so voted **3-0**.

Decision: Arias will sign and distribute the report.

2015-2020 CAPITAL IMPROVEMENT PLAN – The Selectmen reviewed the 1/24/14 Capital Improvement Plan (CIP) along with a second version of the same date that removed the Highway Block Grant revenue. The Selectmen discussed whether or not they want to have the Highway Block Grant revenue reflected on the current and future CIP document. Arruda said there are other routine Town and School revenues like State rooms and meals tax that offset expenditures but aren't reflected on the CIP. The Selectmen felt the revenue listed should be all or none. Arruda said part of the Library's current service desk relocation project will be paid for with grant and private funds which is another example of why the CIP should list only the cost involved and the worst-case tax impact which would be lessened by any grant funds or other types of revenues received.

Motion: Arruda made a **motion** to accept the 1/24/14 CIP with the Highway Block Grant funds removed, seconded by Shackford, and so voted **3-0**.

Decision: Arias will notify the Planning Board of the CIP acceptance by the Selectmen.

POMEROY WAIVER LANGUAGE – The Selectmen reviewed the latest version of the Pomeroy waiver document from Town Counsel and two separate requests that the document be deemed public rather than attorney-client privileged by the Board. The Selectmen were fine with the work product being made available to the public upon request after the mark-ups are accepted. Shackford asked that public comments resulting from the release of the document be sent to the Selectmen's Office via e-mail rather than during an upcoming Selectmen's Meeting so the Board has a chance to see the comments and won't be caught off guard during the meeting. Attorney Malia said there will be an oral argument at Supreme Court on March 5, 2014 in the Ettinger v. Pomeroy and Nature Conservancy case. Malia said a decision probably won't be forthcoming until June or July 2014. Malia appreciates the opportunity to take a look at the document and provide input on behalf of his clients, if necessary.

PERSONNEL POLICY REIMBURSEMENT REVISION – After tabling this discussion at a previous meeting the Board took the time to review a proposed amendment to the Reimbursement Policy within the Town's Personnel Policy in order to adopt the IRS standard mileage rate reimbursement chart for mileage reimbursement requests and the US General Services Administration's standard meal allowance rates for food reimbursement requests. The group discussed whether the Personnel Policy is the appropriate document to contain this information and agreed that, for a lack of a better publication, it was. Brooks said

even though Elected Officials are not considered employees he expected the Reimbursement Policy to apply to them as well.

Motion: Shackford made a **motion** to adopt the Reimbursement Policy revision and sign it out of session once prepared, seconded by Arruda, and so voted **3-0**.

Decision: The revision will be circulated by Sue Stacey once signed by the Selectmen.

WELFARE TECHNOLOGY AGREEMENT – Arias brought up a request from the new part-time Welfare Administrator in order to help her do her job efficiently and effectively from a remote location. Since she also serves as Freedom’s welfare administrator the Freedom Selectmen are willing to help cover the associated costs. Arias started working on a draft agreement to be signed by the two towns and the employee outlining the arrangement. Brooks will look at the agreement and propose changes, which will include the title inter-municipal agreement, before the next Selectmen’s Meeting.

SIGNATURE ITEMS –

Manifest

Payroll & Accounts Payable Checks

Intent to Cut Timber #13-283-21T – Carlson (228-024)

Lyman Oil 2014 Heating System Maint/Protection Plans for Town Hall & Madison Garage

2014 Warrant

2014 (MS-6) Budget of Town/Village District

Disabled Tax Deferral Application (corrective of Bk. 3126 Pg. 0730) (204-044)

Tax Collector’s Abatement #2014-001a (corrective of #2014-001) (204-044)

CIP 1/24/14 with Highway Block Grant funds removed

SB2 – Arruda brought up an issue with the March meeting date contained within the language of the petitioned warrant article given the deadlines required to hold the March meeting.

6:56 PM – Brooks made a **motion** to enter non-public session per RSA 91-A:3II(e) to discuss a property tax matter with the Tax Collector and then into a second non-public session per RSA 91-A:3II(a) [*should have been (b)*] to discuss Transfer Station applications, seconded by Shackford, and so voted. Roll call vote: Arruda – aye, Shackford – aye, Brooks – aye. **7:25 PM** - Brooks made a **motion** to leave non-public session and seal the minutes of the non-public sessions, seconded by Arruda, and so voted **3-0**.

7:25 PM - Brooks made a **motion** to adjourn, seconded by Arruda, and so voted **3-0**.

NEXT SELECTMEN’S MEETING – The next Selectmen’s meeting will be Tuesday, February 25, 2014 at 5:30 p.m. in the Town Hall meeting room. The Selectmen will hold a Public Hearing on the petitioned SB2 (official ballot voting) warrant article on Tuesday, February 18, 2014 at 5:30 p.m. in the Town Hall Meeting Room followed by non-public interviews for the full-time Transfer Station attendant position.

Respectfully submitted,

Melissa S. Arias, Town Administrator
Recording Secretary