

**BOARD OF SELECTMEN  
TOWN OF MADISON  
JULY 15, 2014  
MINUTES**

**Selectmen Present** - Chairman John Arruda, Josh Shackford, and Michael Brooks.

**Others Present** - Town Administrator Melissa Arias; firefighter David Cribbie; Tax Collector Marcia Shackford; North Conway Ambulance CarePlus representative Mitch Gove; Madison TV videographer Amy Boyd.

**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 Chairman Arruda at 5:30 p.m.

**APPROVAL OF MINUTES** – Shackford made a **motion** to approve the Selectmen’s Meeting minutes of July 1, 2014 as prepared, seconded by Brooks, and so voted **3-0**.

**APPROVAL OF MANIFEST** –Brooks made a **motion** to approve the Manifest of July 14 – 21, 2014 in the amount of \$55,129.22, seconded by Shackford, and so voted **3-0**. The Manifest breakdown is as follows: \$21,634.31 for payroll; \$6,830.12 for payroll liabilities; \$26,664.79 for accounts payable; and \$0.00 for the Madison School District.

**THERE WERE NO PUBLIC COMMENTS**

**EAST MADISON ROAD CLOSURE/DETOUR** – Arruda read the Public Notice regarding the East Madison Road bridge project, which states, “The East Madison Road bridge over Frost Brook, located 1 mile from Route 113 and just past Gilman Cemetery, will be rebuilt this summer. East Madison Road traffic will be detoured through Pound Road and Maple Grove Road for 6-10 weeks beginning on or just after Monday, July 21, 2014. Detour signs will be posted by the Highway Department. We apologize for any inconvenience and thank you for your understanding.”

**PROPERTIES WITH OUTSTANDING 2011 TAXES IN DANGER OF TAX DEEDING** – Tax Collector Marcia Shackford provided the Selectmen with a list of property owners who had outstanding 2011 property taxes as of July 15, 2014. These property owners are in jeopardy of losing their property to a tax deed in August 2014 if payment on the 2011 outstanding balance isn’t rendered prior to the August 19, 2014 noon due date. The Selectmen need to determine whether any of the properties come with potential liability that would cause the Board to opt for a Deed Waiver over a Tax Collector’s Deed. Marcia said any payments made toward 2011 tax balances after August 5<sup>th</sup> must be in the form of a bank check, certified check, postal money order, or cash; no personal or business checks will be accepted. Marcia said the current list of 2011 delinquencies contains 28 properties. The Selectmen asked Marcia to go property by property and summarize what has happened with past delinquent payment situations.

Map-Lot – Summary

118-027 – This owner usually pays by the deadline.

233-066 – This owner usually pays by the deadline.

- 205-045 – This owner usually pays by the deadline.
- 117-037 – This property is new to the delinquent list.
- 117-001 – This owner has paid the taxes on their primary residence but parcel is land only.
- 115-019 – This owner usually pays by the deadline.
- 115-032 – This owner usually pays by the deadline.
- 134-034 – There was a Deed Waiver for 2010 taxes. The payment arrangements made with the Selectmen in non-public session are not being followed.
- 115-040 – This owner has made payment arrangements with the Selectmen.
- 115-011 – This owner usually pays by the deadline.
- 232-008 – This owner has made payment arrangements with the Selectmen.
- 221-017 – This property is new to the delinquent list. The tax bills are now being sent in care of someone other than the deeded owner who may have passed away.
- 221-016 – This property is new to the delinquent list. The tax bills are now being sent in care of someone other than the deeded owner who may have passed away.
- 233-031 – This owner usually pays by the deadline.
- 113-121 – The payment arrangements made with the Selectmen in non-public session are not being followed.
- 105-069 – The payment arrangements made with the Selectmen in non-public session are not being followed.
- 113-120 – The payment arrangements made with the Selectmen in non-public session are not being followed.
- 129-029 – This owner usually pays by the deadline.
- 241-023 – This owner usually pays by the deadline.
- 115-004 – This property is new to the delinquent list.
- 111-042 – Tax bills are being returned with no forwarding address.
- 227-024 – This owner usually pays by the deadline.
- 234-069 – The small outstanding tax balance is expected to be paid by the deadline.
- 227-044 – This owner usually pays by the deadline.
- 120-028 – This owner usually pays by the deadline.
- 109-009 – This owner usually pays by the deadline.
- 109-012 – This owner usually pays by the deadline.
- 120-029 – This owner usually pays by the deadline.

The Selectmen asked Marcia for an updated list before their next meeting on July 29<sup>th</sup>. The August 12<sup>th</sup> Selectmen's Meeting is when the Board will formally vote whether to accept Tax Collector's Deeds or not.

**OLD HOME WEEK PARKING & ALCOHOL WAIVER REQUEST** – The Old Home Week Committee submitted their annual request for waivers to the parking regulation and alcoholic beverage ordinance. This year's request is for the period July 30<sup>th</sup> – August 10<sup>th</sup> since Old Home Week runs from August 2 – 10, 2014.

**Motion:** Shackford made a **motion** to grant the requested waivers from July 30<sup>th</sup> to August 10<sup>th</sup>, seconded by Brooks, and so voted **3-0**.

**Decision:** Arias will notify the Old Home Week Committee and Police Department of this vote.

**PRICE PROTECTION PROGRAM 2014-15** – Jesse Lyman Heating Oil & Propane has sent the 2014-15 Price Protection Program agreement with lock-in rates for heating oil and propane. The #2 heating oil price is \$3.249 per gallon (same as in 2013-14) and the propane price is \$1.899 (up from \$1.729 in 2013-14). Arruda said the propane price is comparable to what he has secured at his business which is a decent rate. Shackford said the timing of locking in is always a crapshoot but statistics show prices are going up.

**Motion:** Brooks made a **motion** to sign the agreement tonight, seconded by Shackford, and so voted **3-0**.

**Decision:** The signed agreement will be returned to Lyman.

**ROTATION OF OLDER HIGHWAY TRUCK** – The Selectmen have been given a current Budget Drawdown to determine whether funds are available to put into the oldest 1-ton Highway truck so it can be converted into a small forestry Fire Department truck. The Town Mechanic drew up a parts list which doesn't include specific parts and services that have to come from or be provided by a truck dealership. The cost for the parts that the Mechanic can buy and install is \$2,070 which doesn't include his labor. Brooks said the dealer parts and body work could add up to another couple thousand dollars. Arruda thinks the Town has enough vehicles and putting that type of money into an older vehicle that will primarily just sit around isn't realistic. The Selectmen would like the Highway truck put in front of the Madison Garage as is with a For Sale sign on it.

**TIRES FROM LEDGE POND VOLUNTEER CLEAN-UP** – Brooks asked the Board if he could have the 26-30 tires collected during the recent volunteer clean-up of the Ledge Pond area stored temporarily behind the Madison Garage to give the Town more time to look into low cost disposal options.

**BUILDING PERMIT REQUEST** – Arias said a building permit application will be arriving shortly for a property on Middle Pea Porridge Pond in Eidelweiss. The current owner purchased the property in December 2013 and is looking to replace two 8' x 8' decks on the waterfront side of the house. Arias talked with the carpenter at Town Hall today who came in to start the building permit process. Arias pulled the tax card and property file and quickly realized the proposed project might not be as straightforward as the owner thought. Earlier today the owner indicated via phone to Arias that former Code Enforcement Officer Bob Babine had met her on site before he retired and said she would be able to get a permit to replace the decks and even connect them into one long deck. Arias said she isn't comfortable issuing the building permit because there are no records in the master property file that prove the decks were either part of the original permit to build the house or permitted at a later date. Unfortunately, the original building permit application packet doesn't have the building sketch or property layout pages. There is also indication in the master file that the former owner started constructing the house in a location that violated the zoning setbacks. Zoning Board of Adjustment documents and correspondence from the Village District of Eidelweiss' attorney are also in the file. Arias said she will be deferring the decision on whether to grant the building permit to the Board of Selectmen. The Selectmen initially told Arias to agenda to applicant for the next meeting on July 29<sup>th</sup> but Arias said she is looking to get going as soon as possible. Arias said there will be filing deadlines with the Zoning Board should the Selectmen deny the building permit. Therefore, the Selectmen agreed to hold a special meeting one morning next week which Arias will post once the building permit application is received.

**NORTH CONWAY AMBULANCE** – Arruda asked Mitch Gove from North Conway Ambulance CarePlus if he had anything for the Selectmen prior to their posted non-public meeting. Gove said no and

indicated that Scott Quilty was unable to join the discussions tonight. Shackford told the other two Selectmen about talk of a meeting being coordinated with only members of the Boards of Selectmen from Tamworth, Eaton, Ossipee, Effingham, Madison, and Freedom to discuss the financial implications of moving forward with a new multi-town ambulance contract for either January 1, 2015 or 2016. Once a date is set Arias will post the meeting and notify the Selectmen of the date, time, and place.

#### **SIGNATURE ITEMS –**

Manifest

Payroll & Accounts Payable Checks

Purchase Requisition #2014-CONS-003 – Green Mtn. Conservation (\$1,500) ‘14 water testing

Purchase Requisition #2014-SOLI-002 – Frechette Tire Co (\$150) Ledge Pond tire disposal?

Appointment & Oath of Office – Mark Ciarfella as full-time Police Officer

Intent to Cut Timber #14-283-04-T – Graffam (206-028)

#14-283-05-T – Hocking Trust (226-011)

Petition and Pole License – NH Elec Co-op & FairPoint - 2 new poles along Pound Road

Veterans Credit Application – 112-010-003

**6:12 PM** – Arruda made a **motion** to go into non-public session under RSA 91-A:3II(c) to discuss ambulance contract negotiations with North Conway Ambulance CarePlus, then into non-public session under RSA 91-A:3II(b) to discuss personnel and general hiring, then into non-public session under RSA 91-A:3II(c) to discuss outstanding 2010 property taxes with the Tax Collector, then into a non-public session under RSA 91-A:3II(c) to discuss a legal matter regarding tax deeded property, seconded by Shackford. Roll Call Vote: Shackford – aye, Arruda – aye, Brooks - aye. **7:38 PM** – Arruda made a **motion** to leave non-public session, seal the minutes of the four non-public sessions, and return to public session in order to review the building permit application referenced earlier in the meeting which was received via Arias’ e-mail during the regular meeting, seconded by Shackford, and so voted **3-0**.

**BUILDING PERMIT REQUEST** – The Selectmen looked over the building permit application for 17 Geneva Place and the two photographs that were e-mailed to show what appears on the face of the earth presently. The Selectmen looked through the master file and could find no documentation on when the decks were built or proof that they were covered under a previous building permit. Arruda said they appear to be purposely separate from the house and set into the grade like a patio would be. Brooks said if the new decks are to be attached to the house, raised, and built securely the applicant will have to go to the Zoning Board of Adjustment.

**Motion:** Brooks made a **motion** to deny the building permit application for 17 Geneva Place, seconded by Arruda, and so voted **3-0**.

**Decision:** Arruda checked the applicable section on the Building Permit Denial form prior to signing his name. Arias will complete the rest and forward a copy to the applicant electronically so she can start the Zoning Board application process.

**7:45 PM** – Shackford made a **motion** to adjourn, seconded by Arruda, and so voted **3-0**.

**NEXT SELECTMEN’S MEETING** – The next Selectmen’s meeting will be on Tuesday, July 29, 2014 at 5:30 p.m.

Respectfully submitted,

Melissa S. Arias, Town Administrator  
Recording Secretary