

**BOARD OF SELECTMEN
TOWN OF MADISON
MARCH 22, 2011
MINUTES**

Selectmen Present: Chairman John Arruda, Michael Brooks, Josh Shackford.

Others Present: Town Administrator Melissa Arias; resident Mike Veilleux; and Madison TV Videographer Emilie Riss.

Where and When Posted: Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on September 1, 2009.

Meeting Called to Order: By Chairman Arruda at 5:30 p.m.

APPROVAL OF MINUTES – Brooks made a **motion** to approve the minutes of March 15, 2011 as prepared, seconded by Shackford, and so voted **3-0**.

APPROVAL OF MANIFEST – Brooks made a **motion** to approve the Manifest of March 22, 2011 in the amount of \$215,608.21, seconded by Shackford, and so voted **3-0**. The Manifest breakdown is as follows: \$24,073.79 for payroll; \$30,009.42 for accounts payable; \$11,525.00 for 2011 Warrant Article expenditures; \$150,000.00 for the Madison School District.

CONSERVATION COMMISSION MEMO re: MANAGEMENT OF CERTAIN PROPERTIES – The Selectmen reviewed the March 16th Memo from the Conservation Commission regarding the management of certain town-owned properties. The Commission would like to retain management and stewardship of the Burke Forest (258-007), Currier Forest (221-011), and Lyman Forest (221-010 & 015), and suggests Town Meeting 2012 consider a Warrant Article to adopt these three properties as official Town Forests (RSA 31:110) with the Conservation Commission as managers (RSA 31:112,II). The Commission would also like to continue the management and stewardship of Blair's Location (207-005) and be able to pursue recreational trails on the wooded portions of the Ward Parcel (233-084) and Nickerson Forest a/k/a Transfer Station property (115-027). The Commission is no longer interested in managing the narrow strip of town-owned land around West Branch River (134-013 & 025) because of the lack of recreational options, nor do they feel they have any authority over Kennett Park (118-003) due to the deed language. The Commission's Memo, which included maps and deeds for each of the above referenced parcels (except the Ward Parcel), states that a Town Forest Committee is an unnecessary option for management of these properties. Brooks said the deed copy for Blair's Location in the packet isn't the correct deed because it grants a portion of the property from the Town to the Kennett family per a Boundary Line Adjustment around 1985. Brooks said the earlier conveyance into the Town's name is what should have been included with the Memo. The Selectmen don't feel the Conservation Commission should be granted management authority over any town-owned parcel currently occupied by buildings. This would include the Ward Parcel that houses ballfields and numerous town-owned buildings and the Nickerson Forest that houses the Transfer Station. Granting Conservation management authority over a portion of these two parcels could present an issue in the future should the Town wish to develop an area under the Commission's designation. Arruda said the Highway Department building may need to be expanded or relocated down the road and Brooks said the Nickerson Forest lot contains high quality sand that could be excavated for Highway Department use in the future. Shackford asked if there was any

urgency to making a decision in this regard. The other Selectmen said no because it would be Town Meeting 2012 that would vote to designate parcels as official Town Forests.

Motion: Brooks made a **motion** to send the Conservation Commission's Memo packet to Town Counsel for review and comment under the retainer agreement, specifically questioning the legality of town forests and the statutory requirements of establishing them as such, seconded by Arruda, and so voted **3-0**.

Decision: Arias will deliver the packet to Attorney Cooper or Attorney Meier later this week.

DISABLED TAX DEFERRAL APPLICATION – The Selectmen reviewed an application for a Disabled Tax Deferral that was received six days after the deadline and discussed how to proceed. The Department of Revenue Administration confirmed the Selectmen can deviate from the deadline if the applicant demonstrates their mistake or misfortune in timely filing. Arias explained the unique circumstances that contributed to the application being received late. The Selectmen decided to proceed with approving the Tax Deferral at their next meeting. In the meantime, Arias and Brooks will work on the comprehensive tracking spreadsheet drawn up by Brooks after the applicant's previous approval for deferral of the 2nd issue 2009 tax bill. An abatement will be issued to the Tax Collector to clear the deferred amount off her books and transfer it to the tax deferral spreadsheet.

MEMO TO TOWN DEPARTMENTS & COMMITTEES REGARDING 2011 PURCHASES – The Selectmen approved the language of a Memo to all Department Heads and Committee Chairman requesting that large item purchases from the 2011 operating budget and warrant articles be deferred until after July 1st if at all possible to lessen the risk of the Town having to borrow money through a Tax Anticipation Note. The Selectmen initialed off on the Memo, which will be circulated tomorrow.

TRANSFER STATION TRAILER DOOR – Apparently there is an issue with the door on the Transfer Station office trailer which will need to be repaired or replaced in the future. Arruda said the door should be repaired as best as possible by a member of the Highway Department. The long term solution will likely be to replace the trailer with a different type of building, possibly to include space for gently used items to be temporarily set aside. This will no doubt be discussed as an option during the April 5th Public Hearing on the Transfer Station petition.

CODE ENFORCEMENT OFFICER USED VEHICLE PURCHASE – The Selectmen put out a Request for Proposal to local auto dealers and used car wholesalers for a used vehicle for the Code Enforcement Officer. The Town received 11 options near the designated RFP parameters from 5 different dealers. The Selectmen opted to go with a 2007 Ford Escape XLT from Stan's Service Center in Conway. The mileage was slightly higher than we hoped but the vehicle is in good shape and the price of \$11,500 fits within the Warrant Article. The Town Mechanic looked the vehicle over earlier this week prior to approving the purchase.

TRANSFER STATION EXTRA CONTAINER – The Selectmen received a price of \$1,250 from an independent third party for the 30 cubic yard container at the Transfer Station. This container is in addition to the MSW compactor container owned by the Town. The Selectmen determined last week that we have no current use for the 30 c.y. stand-alone container. Rather than see it sit on the Transfer Station property, North Conway Incinerator offered to provide the Town a credit on a future invoice based upon the third party value. The amount of \$1,250 was more than acceptable to the Selectmen. Arias will convey this message to North Conway Incinerator later this week.

USE OF TOWN HALL MEETING ROOM – The Selectmen’s Office has received a request from resident Sandy Brown to use the Town Hall Meeting Room on Monday, March 28, 2011 from 5:30 p.m. – 8 p.m. for a 4H meeting and award presentation. Arias was given the go ahead to approve the Request to Use Town Property without the requirement of a Police detail.

PUBLIC COMMENTS – Mike Veilleux read a prepared statement dated March 22nd regarding comments made by Selectman Arruda at the March 12th Town Meeting regarding the Lead Mine Road Warrant Article #20. Veilleux said Arruda’s estimate of \$9,000 to maintain a mile of road in Madison was misleading in this case because the Town currently maintains the Summer Cottage portion of Lead Mine Road from April 10th to December 10th. Veilleux said Arruda’s statement that he would personally have difficulty denying future requests from Class VI Road residents who petition the Town to change the status of the Class VI Road they privately maintain to a Class V town-maintained road. The Veilleux letter requests that it become part of the official meeting minutes which historically has been denied so as not to set a precedent. Therefore, the letter will be placed in the Veilluex property record file at Town Hall. **END OF PUBLIC COMMENTS**

LEGISLATIVE BILLS – Brooks is very dissatisfied with recent legislative bills in Concord. Two examples are the Electronic Vehicle Registration Program bill (SB 156) and the proposal to reduce the interest amount on unpaid property taxes (HB 457). Brooks wants to ensure the Electronic Vehicle Registration bill opposition letter to be signed later is sent to our local State Representative.

SIGNATURE ITEMS –

Appointment/Oath of Office – Recreation Committee – Larry Meader & Holly Hawkins
Elderly Exemption Application – (106-014) denied
Bank Account Signature Card – add Shackford as authorized signer
MS-2 Report of Appropriations Actually Voted – to file with DRA
Letter of thanks to Principal Ernest and 2 employees for a smooth Election & Town Meeting
Letter to Fire Commissioners re: volunteer conduct
Solid Waste Transportation and Disposal Agreement with North Conway Incinerator Service (2 originals)
Letter to Senate Finance Committee to oppose SB 156 re: Electronic Vehicle Registration Program

ADJOURN: At 6:13 pm Shackford made a **motion** to adjourn, seconded by Brooks, and so voted **3-0**.

NEXT SELECTMEN’S MEETING – The next Selectmen’s Meeting will be on Tuesday, April 5, 2011 at 5:30 p.m. when a Public Hearing will be held to address a petition to reverse the Selectmen’s decision to not allow the removal of useable items from the Transfer Station.

Respectfully submitted,

Melissa S. Arias, Town Administrator
Recording Secretary