

**BOARD OF SELECTMEN
TOWN OF MADISON
MAY 14, 2013
MINUTES**

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

Others Present: Town Administrator Melissa Arias; Eidelweiss Commissioner Mark Graffam; Firefighter David Cribbie (arriving late); and Madison TV Videographer Emilie Riss.

Where and When Posted: Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on June 30, 2011.

Meeting Called to Order: At 5:35 p.m. by the Chairman.

APPROVAL OF MINUTES – Shackford made a **motion** to approve the Selectmen’s Meeting minutes of April 30, 2013 as prepared, seconded by Arruda, and so voted **3-0**.

APPROVAL OF MANIFEST – Shackford made a **motion** to approve the Manifest of May 6 - 15, 2013 in the amount of \$652,537.75, seconded by Arruda, and so voted **3-0**. The Manifest breakdown is as follows: \$20,591.15 for payroll; \$6,703.30 for payroll liabilities; \$25,243.30 for accounts payable; \$600,000.00 for the Madison School District (5/23/13 release date).

PUBLIC COMMENTS – Mark Graffam came to talk to the Selectmen about Town Meeting and ways to make it better. Graffam said he learned about something called “absolute privilege” after a Village District of Eidelweiss annual meeting in 2008. Graffam said Attorney Paul Sanderson at the Local Government Center provided information on this after the 2008 meeting. Graffam said every legislative body has absolute privilege during their annual meeting which means there is no option for defamation or slander claims, there is no restraint for what can be said during the meeting even if the subject matter has been addressed during non-public sessions. Graffam said there are a few exceptions though. Graffam said he’ll forward Sanderson’s communication to the Selectmen and said the subject matter can be found on the Local Government Center’s website. Josh said the gist of Graffam’s message tonight can be found in the Knowing the Territory publication. Graffam said Madison’s modern day political correctness in running Town Meeting might not be the appropriate way to go. Graffam has heard that residents are having difficulty sitting through Town Meetings because of the manner in which it is run. Graffam said it appears as though the Selectmen and Budget Committee are getting crammed during budget season and information isn’t being shared with the voters early enough for them to make informed decisions. Graffam asked if there is some way to start the budget process earlier so things run more smoothly. Graffam wonders whether the Town should get into a debate about the pros and cons of the SB2 style of Town Meeting. Graffam asked the Selectmen what they’d like to see fixed about Town Meeting. Arruda agreed that the Selectmen have had to push to get the budget put together and approved so it can be presented at the Public Budget Hearing and the Town Report can go to print but doesn’t feel starting the process a month earlier will solve the problem because human nature is to drag your feet. Arruda said it is a disservice to the officials putting the budget together to have uninformed people showing up at Town Meeting hearing issues for the first time. Graffam said a positive to staying with the traditional Saturday Town Meeting is that issues are discussed, debated, and voted right there on the floor without propaganda in a voting booth. Graffam said a negative to the traditional Town Meeting is the immediate vote after a

warrant article is discussed without an opportunity to research and seek answers on the subject matters before voting. Graffam sees the delay between a deliberative session and the subsequent SB2 vote as a means of removing the personal nature of current Town Meeting votes. Arruda said SB2 could result in even less informative votes being cast by folks who won't attend the deliberative or bother to crack open a Town Report. Brooks said the biggest criticism he will accept in this regard is that the budget hasn't been set by the Public Budget Hearing and subsequent changes have been made between then and Town Meeting, including the order the warrant articles will appear on the warrant. Brooks said making a slight adjustment to an existing line might be okay but adding new lines or making significant changes shouldn't happen. Brooks is on record as detesting SB2 and said it doesn't increase the voter turn out; just look at Conway's numbers. Brooks said the Conway deliberative session is poorly attended and said Madison's would be too. Brooks said he's actually been waiting for a petition to change the school's annual meeting back to the traditional format instead of SB2. Brooks said he respects the ability to make decisions right there on the floor of Town Meeting. Graffam said making statements that no personal discussion will take place or that legal matter cannot be raised at Town Meeting is doing the people of Madison an injustice. **END OF PUBLIC COMMENTS**

PROPERTY TAX WARRANT – The Selectmen will be signing the 2013 1st issue property tax warrant under Signature Items. The warranted amount is over \$161,000 less than the 2012 1st issue warrant. Brooks said the collection amount is down this year because the 2012 tax rate went down from 2011 resulting in a lower tax rate for July 2013 over July 2012. Brooks said this fact should be considered a positive. Arias said the Treasurer has or will have a Memo for the Selectmen outlining the financial situation and seeking guidance on whether to pursue a Tax Anticipation Note (TAN). Arruda would like the Treasurer to run the numbers based upon past statistics to see just how close we could come in year while waiting for the 1st issue tax payments to roll in.

PURCHASING POLICY & PROCEDURE – The Selectmen reviewed the revised draft of the Town Purchasing Policy and Procedure after a few modifications were made following the last meeting.

Motion: Shackford made a **motion** to accept the new Purchasing Policy and Procedure, seconded by Arruda, so voted **3-0**.

Decision: Arias will provide the Town Clerk with the signed original and distribute copies with a cover memo to the Department Heads.

TOWN HALL AIR CONDITIONING SERVICE AGREEMENT – The Selectmen were in favor of continuing with this annual service so the agreement will be signed under Signature Items.

FIRE DEPARTMENT ACCESS CODES – Arruda asked Arias to verify whether the code for the Emergency Management Director's access into the Fire Station building is now working. Arruda said he has concerns over outside vendors having access codes to the building for delivery purposes. Arruda said private companies should not have access into government buildings for delivery purposes unless an employee or other official is there to receive and sign for the product. Arruda said supply companies don't always assign the same driver to a route. Arruda said given what is going on with the Fire Department he would expect all deliveries intended for the Fire Department to be received on-site by someone authorized to receive them. Brooks suggested bringing this up at the next quarterly meeting with the Selectmen and Fire Commissioners in late June or early July.

HIGHWAY DEPARTMENT EXTERIOR – Arruda brought up the exterior of the Highway Department building and suggested looking at the General Government Building budget line for funds to address the painting and repair. Arias said it is too early in the year to try and gauge whether there is money in the General Government Building line for the Highway Garage. Arias asked whether the Selectmen wanted to hire someone to do the labor or just buy the materials for the Highway employees to use. Brooks said he would prefer the latter. Arruda asked that the Road Agent be placed on the next meeting agenda to discuss this.

WELFARE OFFICE – Arias asked for the Selectmen’s permission to clear out the former Recreation Director’s closet on the lower level of Town Hall and outfit it for the new part-time Welfare Administrator. Arias explained that the welfare files are in a locked cabinet in a shared space at Town Hall and the telephone extension is in the Selectmen’s Office. Relocating the filing cabinet and telephone to the former Recreation closet would give an additional level of security and privacy for welfare related work. Arias said the administrator could use the meeting room for intake appointments instead of the Selectmen’s Office. The Selectmen told Arias to go ahead with the space conversion.

EAST MADISON ROAD BRIDGE PROJECT – Arias obtained a sample bridge bid proposal from another NH municipality that was 13-pages of very comprehensive material likely put together with the help of an engineer. Arruda suggested putting a more general bid proposal together specifying the particular style of bridge but making the contractor responsible for the design, the necessary permitting, and the build-out of the project. Arruda said short of that the Town would have to hire an engineer which would likely add 1/3 more to the project cost. Arruda said the Town would provide the width of the road and length of the span plus other necessary information to put the bid out. Brooks suggested contacting the company that designed/engineered the pre-cast concrete structure in our initial estimate to see if they would meet with the Selectmen and carry out the necessary permitting required to install their product. Arruda would rather see a simple RFP for a pre-cast engineered structure. Shackford said he tends to oversimplify things but knows there are several companies in the area that have done this type of work and would likely provide sealed proposals. Cribbie said an engineer would still have to do a watershed study to determine how much flowage there is in Frost Brook. Arruda said maybe slip-lining the culvert would be simpler. Graffam said slip-lining even requires a Minimum Impact Permit from the Dept. of Environmental Services (DES). Graffam said a culvert replacement project in Eidelweiss required an engineer who talked with soil scientists and wildlife biologists in order to start the DES permitting process, which is very lengthy. The Selectmen decided to look into engineering services as a starting point.

SIGNS – The Selectmen briefly discussed the renderings of sign kiosks for each of the Town beaches. Brooks said he is opposed to paying a company to build an elaborate kiosk as shown because a simple one similar to that currently at the Foot of the Lake beach should be something that can be done in house before the sign is installed inside it.

SIGNATURE ITEMS –

- Manifest
- Payroll & Accounts Payable Checks
- 2013 P01 (1st issue) Property Tax Warrant
- Purchasing Policy & Procedure (if adopted above)
- American Air Systems proposal for Town Hall A/C maintenance (if approved above)
- Timber Tax Warrant & Worksheet #12-283-07-T – Hatch (227-022)

NON-PUBLIC SESSION – 6:39 PM – Brooks made a **motion** to go into non-public session under RSA 91-A:3II(e) to discuss pending litigation, seconded by Shackford, and so voted. Roll Call Vote: Shackford – aye, Arruda – aye, Brooks – aye. **8:09 PM** – Brooks made a **motion** to return to public session and seal the minutes of the non-public session, seconded by Shackford, and so voted **3-0**.

8:09 PM – Shackford made a **motion** to adjourn the regular Selectmen’s Meeting, seconded by Arruda, and so voted **3-0**.

NEXT SELECTMEN’S MEETING – The next regular Selectmen’s meeting will be May 28, 2013 at 5:30 p.m. in the Town Hall Meeting Room.

Respectfully submitted,

Melissa S. Arias, Town Administrator
Recording Secretary