

**BOARD OF SELECTMEN  
TOWN OF MADISON  
NOVEMBER 1, 2011  
MINUTES**

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

**Others Present:** Town Administrator Melissa Arias; Road Agent Bill Chick Sr.; residents Robert Savary, Lawrence “Buddy” Bickford, Clifford “Sonny” Graves, Fred Ham, Harold & Julie Barkalow, Robert D. King, & W. Franklin Jones; Conway Daily Sun Reporter Daymond Steer; 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:** By the Chairman at 5:30 p.m.

**APPROVAL OF MINUTES** – Shackford made a **motion** to approve the minutes of October 18, 2011 as prepared, seconded by Brooks, and so voted **3-0**.

**APPROVAL OF MANIFEST** – Brooks made a **motion** to approve the Manifest of October 24 – November 2, 2011 in the amount of \$229,610.72, seconded by Shackford, and so voted **3-0**. The Manifest breakdown is: \$19,963.87 for payroll; \$59,646.85 for accounts payable; \$150,000.00 for the Madison School District (11/10/11 release date).

**GOULD POOR TRUST FUND** – The Trustees of the Trust Fund have discovered that Warrant Article #39 at the 1985 Town Meeting authorized the Trustees to withdraw accumulated interest from the “Gould Fund – Town Poor” which was originally set up to assist with administering to the town poor. The warrant article stated recipients were to be designated by the Selectmen. The Trustees have determined that the interest withdrawal never happened and are wondering how the Selectmen want to proceed. The current fund balance is \$5,515.04, with all but \$1,000 being accumulated interest. The Selectmen decided to follow through with the 1985 Town Meeting vote and formally request the Trustees withdraw the accumulated interest for deposit into the general fund.

**Motion:** Arruda made a **motion** to request the Trustees of the Trust Fund forward the accumulated interest as of the November bank statement for the Gould Fund with an amount estimated around \$4,415.04, seconded by Shackford, and so voted **3-0**.

**Decision:** The Trustees of the Trust Fund will be sent a copy of the meeting minutes and asked to proceed.

**TOWN HALL ROOF** – The Selectmen’s Office has solicited a proposal to apply an ASTEC Re-Ply System to the existing metal roof of Town Hall. The company Precision Applications of Plymouth, NH provided a price of \$19,975. Arruda said the existing metal roof was refastened and painted around 1999, shortly after it was relocated to the present Ward Parcel location. Arruda believes the last roof work cost about \$10,000. About a year ago the Selectmen’s Office attempted to find a contractor to either repaint the roof or replace it with new metal. However, we were unable to find a contractor interested in working

on the Town Hall roof because of its height. Arruda has seen the ASTEC system installed recently on two different commercial buildings and said it came highly recommended. The \$19,975 would likely have to be funded through a 2012 Town Meeting warrant article unless there are sufficient funds remaining in the bottom line of the 2011 operating budget. Brooks said some sort of contingency needs to be built into the cost for necessary repairs prior to the seal coat application based upon language in the proposal. The Selectmen would like to have a representative from Precision Applications attend a future meeting to discuss the product and answer questions. Shackford would also like to review some sort of comparison so Brooks suggested circulating a simple RFP in the local paper to see if any interest can be drummed up.

**TASKER HILL ROAD PROJECT** – Road Agent Bill Chick Sr. requested a spot on the agenda to discuss the Tasker Hill Road project and other matters raised recently at Selectmen’s Meetings and publicized in the newspaper. Chick saw some of the Selectmen’s Meeting broadcast from two weeks ago where the Selectmen accused Chick of breaking the law and keeping them in the dark. Chick disagrees with the allegations being made by one very outspoken individual who has the Selectmen bowing to his every comment. Chick said he attended the September 20<sup>th</sup> Selectmen’s meeting to discuss using Highway Department operating budget funds to cover the remainder of the Tasker/Allard Hill Road project. Chick said he also talked with Arruda and Shackford at the May 3<sup>rd</sup> meeting about not grinding the asphalt in place but taking it up instead; Selectman Brooks was absent. Chick said 11,694 square yards of asphalt was estimated for crushing at a cost of \$1.25 per square yard which would have totaled \$14,617. However, Chick said the grinding estimate was based upon a pavement thickness of 3” to 4.5”, not over 9” in several spots. Chick presented a photo showing 9.5” of asphalt in a section of Tasker/Allard Hill Road and said there were asphalt thickness issues along many portions of the road. Chick said the photo also shows there was no crushed gravel base under the asphalt. Chick said gravel was the biggest part of the budget overrun because it took more gravel than expected to prepare the road base for pavement after the asphalt was removed. Chick said the ground asphalt wouldn’t have been a suitable base under 3” of new pavement anyway. Chick said the ground asphalt would have cracked and worn in a shorter period of time with the ground asphalt and anticipates the road will last longer with the crushed gravel base. Chick said AJ Coleman charged the Town \$7.50 per ton for the State specification crushed bank-run gravel, which is a discounted rate. Arruda asked why the original estimate didn’t include any money for contracted services. Chick said there wouldn’t have been any contracted services required if the pavement was ground in place but an excavator and trucks were needed to pick up and remove the asphalt. Chick originally thought they could pick up 1,000 feet of asphalt per day but that estimate was high because of the unexpected thickness. The best day resulted in 900 feet of asphalt being picked up. Arruda asked what the cost will be to crush the old asphalt being temporarily stockpiled at Coleman’s. Chick said the cost for crushing will be about \$12,700. Chick said the material will make good aggregate to mix in with crushed gravel and plans to store it on the Ward Parcel after it’s processed. Shackford said the Board of Selectmen hasn’t accused Chick of any unlawful or illegal acts. Chick said the Madison TV broadcast made it sound like he hadn’t communicated with the Board at all during the road project. Shackford remembers Chick coming to the May Selectmen’s Meeting and discussing the removal of asphalt instead of grinding in place but doesn’t remember hearing anything from Chick, at that time or shortly thereafter, about a \$35,000 overrun of the budget. Chick said he didn’t realize there would be an overrun at that time because the pavement thickness wasn’t known. Chick said the Town could have delayed putting down the asphalt top coat until after Town Meeting 2012 but thought it would be better to use funds within his 2011 operating budget because they had already been raised and appropriated. Shackford asked Chick what could be done in the future to ensure road projects don’t run over budget. Chick said pavement boring samples could be taken ahead of time to determine the asphalt

thickness and estimate how much crushed gravel would be necessary. Arruda said borings were taken on Town Line Road before that project but a large rock went undetected and cost the Town an extra \$20,000.

**TOWN HALL SIGN REPLACEMENT** – After reviewing the Gemini Sign estimates on October 18<sup>th</sup>, Arruda asked Arias to obtain a price to make up and install metal facades to the existing Town Hall sign. The cost came back at \$725 installed, which is \$100 more than the cost for a new sign exactly like the existing one.

**Motion:** Shackford made a **motion** to select “Option A” on the Gemini Sign Estimate to replace the existing Town Hall sign as is, seconded by Arruda, and so voted **3-0**.

**Decision:** Arias will make out and sign a Purchase Requisition to this affect.

**TAX MAP UPDATES** – The Selectmen discussed the Map Maintenance Renewal Agreement with Avitar Associates of New England’s Terra-Map Division. This was briefly discussed during the October 18<sup>th</sup> meeting and again at the October 25<sup>th</sup> Advisory Budget Committee Meeting. Arias is hopeful the Selectmen and Budget Committee will support the added expense for a new feature being offered on top of the annual map updates. The new feature is an on-line GIS application that makes the tax map and assessing data available on-line for public viewing. Arias showed the Selectmen what the on-line maps look like and the way in which the assessment card data is displayed. The cost for the additional feature amounts to \$633 per year, which will definitely cut down on the number of phone and e-mail requests for assessing information once the availability is known by local realtors, insurance agents, title companies, appraisers and banks. Arruda said the additional cost has been proposed in the 2012 operating budget even though it was questioned at the first Advisory Budget Committee meeting last week.

**Motion:** Shackford made a **motion** to accept the Tax Map Maintenance Agreement from Avitar Associates of New England for a three year period at \$6,133 per year, seconded by Arruda, and so voted **3-0**.

**Decision:** Agreement will be signed later in the meeting under Signature Items and forwarded to Terra Maps.

**EAGLE SCOUT PROJECT** – On October 18<sup>th</sup> the Selectmen discussed Torin LaLiberte’s request to clean up and improve the nature trail around the Ward Parcel for his Eagle Scout project. Although the Selectmen consented to the project on October 18<sup>th</sup> the decision wasn’t put in the form of an official motion that contained specific stipulations.

**Motion:** Shackford made a **motion** to authorize the Eagle Scout project on the Ward Parcel trail, seconded by Brooks. Brooks added the stipulations that no trees be removed without consultation with Mr. Rancourt, chainsaw use be restricted to adults only, and the location of the trailhead framework be approved in advance by the Board of Selectmen. So voted **3-0**.

**Decision:** Arias will provide the Conservation Commission with a copy of these minutes.

**RECREATION DIRECTOR INTERVIEWS** – Brooks participated as the Selectmen’s representative in the recent interview process for a part-time Recreation Director. After a long evening of interviews, the group’s first choice was a full-time Recreation Director from Massachusetts. The group decided to

offer him the position but he withdrew his application and declined the position because he and his wife weren't prepared to relocate and change from full-time to part-time. Brooks said the group's second choice was Jamie Lynn Shackford from Madison, who was offered the position and has since accepted and started work. The Selectmen were supportive of the Recreation Committees decision making process.

**MADISON GARAGE FUEL LINE** – Arias received a call earlier today from Jesse Lyman, Inc. regarding the service of the Madison Garage furnace earlier this week. The service technician is recommending that the fuel line into the furnace be replaced because it has become narrowed and clogged causing the system to run inefficiently. Lyman estimates the replacement cost to be about \$350. The Board was in favor of this repair, which will not require a Purchase Requisition because it is under \$500.

**PUBLIC COMMENTS** – Lawrence Bickford said a metal roof is a mechanical roof which is constantly moving. Screws loosen up over time and once a metal roof is re-screwed once it isn't effective to have it re-screwed again. Bickford said a newly installed metal roof will last far longer than attempting to re-screw a roof that has previously been re-screwed. Bickford said the Selectmen should get prices for installing a new metal roof and split the cost out over the estimated life of the roof. This cost could then be compared to the cost of the ASTEC roof coating system.

Bickford said as a business man he can't expect customers to have an open wallet when it comes to issues that are unforeseen at the time of his estimate. When a project is ongoing and issues arise it's professional to bring issues to your customer's attention. Bickford said the overrun of the Tasker/Allard Hill Road project and the lack of proper communication wouldn't have been acceptable in the business world. Shackford said Chick did come to the Selectmen to discuss the pavement thickness but no specifics were given about additional costs. Bickford said the Town will still endure a significant cost to crush the asphalt at Coleman's and truck it to the Ward Parcel property.

King said nepotism is an issue that hasn't been properly addressed. King said Chick Sr. has not only appointed two of his children, but he's promoted one to the position of Assistant Road Agent. King said this is against the State of NH Code of Ethics. King said the Selectmen should share some of the blame in this with the Road Agent. King said the Road Agent knew, or should have known, that a candidate for the recent Highway Technician position used Town equipment to train and obtain a commercial drivers license prior to being hired to fill the position. King said the over expenditure of the road project warrant article was a display of gross negligence by the Road Agent. King said the Road Agent has held his position for a long enough period of time that he should know what is beneath the surface of Town roads. Even if he isn't, the Board of Selectmen should be confident that the Road Agent knows how to determine what is beneath the road surfaces. King wasn't looking for a response from the Selectmen tonight but is hopeful that the Selectmen will not turn a blind eye to the publicly known facts. King said the appearance at this meeting tonight would make people believe there are no current issues with the Road Agent or the management of his department when King said there are.

Graves asked how the Town obtained the quotes for grinding the asphalt and paving Tasker/Allard Hill Road. Graves said there's no such thing as too thick of an asphalt product to grind in place. The group explained how the Town of Madison partnered with the Town of Conway on the Tasker/Allard Hill Road project. Madison's pavement lengths were provided to the Town of Conway and included in their 2011 road paving bid which allowed us to receive a sizable discount on the cost per ton for asphalt. Graves said the Road Agent has always had a large stack of excuses when challenged on road topics and has seen this is still the case tonight.

Shackford said he doesn't disagree with what King, Graves and Bickford have said tonight. Shackford's goal is to ensure the management of the Highway Department improves. Shackford does disagree with what's being said about nepotism. Shackford said employment of relatives happens at the very top levels of government, as with the Kennedy's and Bush's. Shackford sees the two sons of Chick Sr. having a bit of a disadvantage in being under the public microscope and having to endure these types of comments. Shackford said he wasn't present during the hiring of Bill Chick Jr. as Assistant Road Agent but he was present during the recent Highway Technician hiring process. Of the six candidates that were interviewed, Shackford said it was clear to all present that Justin Chick was the best candidate for the job. Shackford said if the Board of Selectmen or individual members of the Board disagreed with Justin Chick being the best candidate they would have strongly encouraged Chick Sr. to hire someone else and would definitely not be speaking publicly in favor of Chick Sr.'s decision.

Graves said Justin Chick did a fine job operating a grader for AJ Coleman & Son for a number of years before coming to the Highway Department. Bickford is hopeful that Justin Chick's extensive grader experience will drastically improve upon the present condition of the gravel roads and ditches in Madison.

King said it is unlawful for a person in a supervisory position to hire and promote blood relatives under the nepotism law. Arruda said this statement contradicts the RSA about elected Road Agents having the authority to hire and fire members of the Highway Department. Arruda asked King for a copy of the nepotism law he was citing. King and Arruda then debated about the language and interpretation of a number of State RSA's, Supreme Court cases, municipal guidebook references, etc.

Daymond Steer from the Conway Daily Sun said it seems odd that Highway Department records don't indicate what can be found under the surface of town roads. Brooks said the Selectmen's Office has kept detailed records of road projects since 2007 when we were involved with FEMA after the April Nor'easter storm event that washed out a number of roads. Brooks cautioned Steer about falsely quoting what he says during Selectmen's Meetings because many parts of today's Daily Sun article were completely off base. King said the Selectmen's Office staff should not be expected to keep these types of detailed records and suggested the Highway Department become responsible for documenting all road related matters because it will only benefit them in the future. **END OF PUBLIC COMMENTS**

#### **SIGNATURE ITEMS –**

Purchase Req. - #2011-GRAN-001 Northledge Technologies (\$2,765.90) phones @ EOC

#2011-GGEQ-002 Northledge Technologies (\$4,800) 2 PC upgrades

Tax Map Maintenance Renewal Agreement

Letter to NH Hazard Mitigation Planner re: updating Madison's plan with a State of NH grant agreement

Silver Lake Dam – NH DES Legal Dam Owner verification with map/lot & deed book/page

Intent to Cut Timber - #11-283-08-T on McNair Revoc. Trust (250-001)

**NON-PUBLIC SESSION – 7:15 PM** - Arruda made a **motion** to adjourn the public session and go into non-public session under RSA 91-A:3II(a) to meet with the Police Chief over a personnel matter, seconded by Brooks, and so voted **3-0**. Roll Call Vote: Brooks-aye, Shackford-aye, Arruda-aye. **7:35 PM** – Arruda made a **motion** to leave non-public session and seal the minutes of the non-public session, seconded by Brooks, and so voted **3-0**.

**ADJOURN: 7:35 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 on Tuesday, November 15, 2011 at 5:30 p.m. The Selectmen plan to meet in non-public session with Department Heads prior to the next regular meeting to review the Performance Evaluations for the employees within their departments. These non-public meetings will be properly posted in advance.

Respectfully submitted,

Melissa S. Arias, Town Administrator  
Recording Secretary