

**BOARD OF SELECTMEN
TOWN OF MADISON
April 24, 2018
MINUTES**

Selectmen Present – Robert J. King, Jr., Josh L. Shackford and John Arruda

Others Present –DPW Director Jon Cyr; William Chick Jr; Administrative Assistant Linda Shackford; Madison TV Videographer Carol Dandeneau

Where and When Posted – Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on January 10, 2018.

Meeting Called to Order – By Chairman King at 5:37

APPROVAL OF MINUTES:

Motion by Arruda, seconded by J. Shackford to approve the minutes of April 10, 2018 and the Non-Public Session minutes, made public, of April 10, 2018 as written. The motion passed **3-0**.

APPROVAL OF MANIFESTS:

Motion by J. Shackford, seconded by Arruda to approve the Manifest of April 23 – May 3, 2018 in the amount of \$182,918.32. The Manifest breakdown is as follows: \$21,422.20 for Accounts Payable; \$28,444.06 for payroll; \$8,052.06 for payroll liabilities; and \$125,000.00 for Madison Elementary School. The motion passed **3 -0**.

PUBLIC COMMENTS:

Scrub Oak Scramblers Trail Master Dave Charrette approached the Board with a request to perform maintenance to Class A Municipal Goe Hill Trail. The plan is to make improvements from the Freedom Town Line to the Shackford Landing. The Board granted their permission and will reiterate this decision in writing for their grant application.

Madison TV Noreen Downs followed up about the Spectrum Cable franchise fee formula for fund of the Madison TV. Arruda explained that the contract is going to be changed during an agenda item later in the meeting, adding that the fees, with this change, will go back up to around \$18,000/year.

DISCUSSION ITEMS/NEW BUSINESS:

Library Ramp RFP Review – The Request for Proposal regarding the library ramp replacement was posted and published in the Conway Daily Sun. One response was received from Garside Construction LLC. King opened the RFP and the amount of the proposal was \$13,550.00 with a start date of end of August to first week of September.

Motion by J. Shackford, seconded by King to award the RFP to Garside Construction LLC for the amount of \$13,550.00. The motion passed **3-0**.

Noreen Downs and Russ Dowd – Energy Advisory Committee: Solar PV – EAC Co-chairs Noreen Downs and Russ Dowd approached the Board regarding the Power Purchase Agreement (PPA) presentation done last year regarding Solar Photovoltaic (PV) for the Town. Annually the Town, including the school, uses 320 KWH at a cost of \$55,000/year. The solar proposal works similarly to the Smart Start program where the Town pays same bill each month to pay off the improvement with a 6-7 year pay off.

- A PPA agreement is one where a third-party investor identified by Revision Energy fully funds the installation of a solar panel array under a contract with the town.
- The third-party investor contracts with the town to provide electricity generated from the installed solar panels at a cost equal to or less than the going utility rate with a built-in ~2% escalator for inflation over the coming 6 years.
- There is no up-front capital cost required of the town for the project. The third party and the installer absorb all the initial costs and maintenance. ReVision Energy has numerous success stories with this arrangement.
- The third party takes advantage of the Federal Tax credit (right now 30%) and any state and utility incentives and rebates offered. The town cannot take advantage of the Federal tax credit.
- The third-party investor must hold the contract and the array for a minimum of 6 years at which time the town can choose to purchase the array or continue to purchase the electricity from the third party at low rates with an opportunity to renegotiate the contract every 5 years for the life of the array. The cost of the array is determined by fair market value at the time of sale, estimated in year 6 at about ~50% of the initial cost due to depreciation. The buy-out option in 6 years can be anticipated on the CIP, and reserves established for the purchase after which the electricity produced is at no cost for an array life span of approximately 40 years.

Downs asked the Board to consider a location on Town property that would be 2 acres with southern exposure. It would be hoped that it could be placed within 500' of a metered building with the school the preferred location as it is the largest consumer and has 3-phase service.

King asked if this would conflict with the Smart Start Agreement we are currently in. Downs responded no. Arruda asked if this would involve a lease agreement. Downs responded yes, it could be a \$1 agreement made at Town Meeting, which the EAC hopes to be able to present in 2019. Arruda also asked that L. Shackford look into any deed restrictions on the property as it was gifted to the Town.

Downs asked if the Board would agree to have the EAC continue to pursue this and if they think there would be 2 acres available. Arruda stated that he is in favor of moving forward as long as there is the acreage to do so. J. Shackford and Arruda asked if the area would necessitate a fence and who would pay for it. Dowd was not sure and assumed it would be addressed in the scope of the project. The Board agreed to have EAC move forward on this proposal. Downs stated the EAC has a meeting this Thursday and will get moving.

Update of DPW Job Descriptions – The Board reviewed updates to several job descriptions that took into consideration the change of title from Road Agent to DPW Director, and Highway to DPW Department. The Assistant Road Agent position was renamed Foreman. The changes were made to these descriptions:

- Foreman
- Technician
- Equipment Operator
- General Maintenance Position
- Transfer Station Attendant
- Assistant Transfer Station Attendant

Motion by Arruda, seconded by J. Shackford to accept the changes made to the listed job descriptions. The motion passed **3-0**. The changes will be put in a format for approval and signed at the May 8th meeting.

Review and Sign 2018 MS-535 Financial Report of the Budget – The Board signed the 2018 MS-535 Financial Report of the Budget.

Yield Tax Request for Abatement: 17-283-07-T – The owner of 117-006 Diversified Resource Corp requests an abatement of yield tax in the amount of \$1,175.84. The owner requests the abatement because the timber was harvested in August of 2017 with the report submitted on November 11, 2017. The State Stumpage Values from October 1, 2017 – March 31, 2018 were used to calculate the tax when the April 1, 2017 – September 30, 2017 should have been used. The Board recommends the \$1,175.84 abatement plus interest of \$19.91.

Assessing Expendable Trust Fund Withdrawal:

There has been \$6,565.17 expended on the assessing contract with data entry of town properties December 2017 – March 2018 which needs to be reimbursed by the Assessing Expendable Trust Fund set up for this purpose.

Motion by King, seconded by J. Shackford, to request the withdrawal of the Trustees of the Trust Fund for \$6,565.17.00 from the Assessing Expendable Trust fund to reimburse the general fund for the expenses paid from December 2017 – March 2018 for the assessing contract to measure and list the town by 2020. The motion passed **3-0**.

Letter in Opposition to House Bill 1673 – The Board signed a letter to Senator Jeb Bradley stating their opposition to HB 1673 which would lower the percentage charged to delinquent tax payers. The Board sent letters of opposition to similar House Bills in May of 2009 and January of 2012.

OLD BUSINESS:

Spectrum Franchise Fees – The Board received an Amendment to the Franchise Fees from the Town's cable provider, Charter Communications, which better words the agreement of how the franchise fees are determined and distributed to the Town. This revision will allow the town to expect an amount of approximately \$18,500 annually to fund Madison TV. This revision extends the Franchise Agreement to April 29, 2023 which coincides with the contract date already in place.

Motion by King, seconded by J. Shackford to sign the Amendment to the Franchise Agreement between the Town of Madison, NH and Time Warner Cable Northeast LLC, locally know as Charter Communications. The motion passed **3-0**.

Emergency Lane Discussion – The stability of Ledge Pond Road has been brought to the Board's attention. To rectify the situation the Board plans to hold a public hearing on May 8th to declare Class VI Ledge Pond Road an Emergency Lane. Arruda stated that his will still be a Class VI road but this will allow us to perform maintenance. In Arruda's opinion, if all goes well, the old road will be abandoned with the new one being adopted and then the emergency lane status could be removed. Director Cyr expressed his concern that others on Class VI will be expecting the same for their roads. It was explained that this can be done because there is a public need to keep the road passable for emergency vehicles which is supported by an identified public welfare and safety interest which surpasses or differs from any private benefit of landowners abutting such lane. L. Shackford will contact Buzz Coleman and speak with him prior to the mailing of the notices for the public hearing to explain the Boards intentions.

Intent to Excavate: Baron Trust LLC 202-008 – The Board hesitated about signing this intent at their last meeting because of ongoing DES issues. L. Shackford inquired with DRA about the situation. Mary Pinkham-Langer at DRA was helpful in explaining that intents are not enforcement tools, they are a tax document. Arruda would like the Planning Board to be aware of the information from Pinkham-Langer as they are the regulators for the town. The Board signed the Intent to Excavate.

Selectman Shackford's List – J. Shackford will be meeting with the Freedom Board of Selectmen next Monday night to discuss using their road to access the Everett Parker Property for logging. Forrester Tim

Nolin has already spoke with the Freedom Conservation Commission but it still necessitates the Freedom BOS approval.

Selectman Arruda's List – No items

Selectman King's List – King stated ice out has be declared on Silver Lake and with that, the Town still has an opening for a swim instructor for this summer.

Assistant's List – No items

SIGNATURE ITEMS

Manifest

Payroll & Accounts Payable Checks

Tax Collector Abatement: Tillinghast 256-041 \$17.99

CitiFinancial 111-041 \$18.20

Land Use Change Tax Abatement: Shields Head 233-088 \$1,804.09

Current Use Application: Shields Head 233-088

Excavation Tax Levy: 17-283-03-E Alvin J. Coleman & Son Inc - 110-002 \$379.96

17-283-04-E Calvin J Coleman Revoc Trust - 202-026 \$564.00

17-283-05-E Calvin J Coleman Revoc Trust - 202-001 \$2,200.00

17-283-06-E Baron Trust LLC - 202-008 \$1,059.00

Supplemental Intent to Cut: Nuveen17-283-10-T

Yield Tax Levy: Nuveen 17-283-10-T \$7,976.49

Fadden 17-283-01-T \$4,477.82

Fadden 17-283-02-T \$559.58

Intent to Cut: Fadden Whitaker 228-058

Downs 258-003

Intent to Excavate: Pike Industries, Inc. 102-003

Purity Spring Resort 249-013

Veteran's Tax Credit: Tillinghast 256-041

Oath of Office: Energy Advisory Committee – Adam Leiser, Ken Eckhardt and Sloane Jarell

6:14 PM – King made a **motion** to go into non-public sessions under **Non-Public Session per RSA 91-A:3II (a)** The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

Roll call vote: Shackford – aye; Arruda – aye; King – Aye

7:30 PM – King made a **motion** to return to public, seconded by Shackford and so voted **3-0**.

7:30 PM – King made a **motion** to adjourn, seconded by J. Shackford, and so voted **3-0**.

NEXT SELECTMEN'S MEETING – The next Selectmen's Meeting will be on Tuesday, May 8, 2018 at 5:30 p.m. in the lower level of Town Hall.

Respectfully Submitted,

Linda Shackford,
Administrative Assistant