

**BOARD OF SELECTMEN
TOWN OF MADISON
September 7, 2021
MINUTES**

Selectmen Present – William T. Lord, Josh Shackford, Michael A. Mauro

Others Present –DPW Director Jon Cyr; Chief Robert J. King, Jr; Officers Michael Mosher and Jake Martin; Residents Jay Buckley, Shawn Bergeron, Nick Borelli; Town Administrator Linda Shackford; MadTV Videographer Carol Dandeneau

Where and When Posted – Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 31, 2020.

Meeting Called to Order – By Lord at 4:30 pm.

APPROVAL OF MINUTES:

Motion by J. Shackford, seconded by Mauro to approve the minutes of August 24, 2021 as written. The motion passed **3-0**.

APPROVAL OF MANIFEST:

Motion by J. Shackford, seconded by Lord to approve the Manifest of September 7 -14, 2021 in the amount of \$70,450.05. The manifest breakdown is as follows: \$29,696.29 for Accounts Payable; \$31,578.50 for payroll; and \$9,175.26 for payroll liabilities. The motion passed 3-0.

PUBLIC COMMENTS: There were none.

DISCUSSION ITEMS/NEW BUSINESS:

Review of Proposed STR Ordinance and Position of Board Regarding Same – J. Shackford lead discussion on STRs explaining what was discussed at the last Planning Board meeting on August 11th. The Planning Board asked that the draft ordinance be presented to the fire department, code department, Town Counsel and to get an idea of where the Selectmen stand on the issue.

Mauro reviewed the draft ordinance and his first concern was the laundry list of steps and Boards that have to be gone through to obtain an approval and setting an appropriate fee for such. Mauro also expressed concern that fire protection by sprinklers is specifically excepted.

Lord would like to see abutters notification included and if fines were to be imposed that they should be substantially painful for the violator. Lord feels the Town is partially culpable as no rules were in place but COVID has brought a strain to our infrastructure along with poor behavior that residents oppose. This strain could also cause a need to hire more administrative help to manage STRs.

J. Shackford sees this as a huge hurdle to get through looking ahead to three months of hearings. This draft is something that we have received a legal opinion on and counsel feels it is a very inefficient process. J. Shackford personally does not want to live next to an STR but has difficulty on how to fairly address everyone's rights.

J. Shackford questioned rhetorically how you can fairly sort through different types of STRs. The person from California that owns five STRs versus the elderly woman that earns income to pay her property taxes.

Resident Nick Borelli feels that the regulations are already in place and they should be followed. A hotel cannot be built in the residential district, why can an STR?

Lord feels if we ban them, we would need to be prepared for some backlash; maybe this isn't the set of rules for us.

Resident Shawn Bergeron feels there are three options: ignore STRs; try to ban STRs; or try to regulate STRs. Most local town have been ignoring them.

Bergeron explained, in response to Mauro's concern for sprinkler protection, that there is a state statute that states no municipality can mandate 1-2 family homes to have sprinklers, however, the town can require life safety codes be followed.

Bergeron noted that the zoning ordinance has a definition of commercial to which J. Shackford commented that he feels it is not good enough.

Inspection activity was described by Bergeron as trying to put too much into a pipe. The Code departments work load is already full.

Bergeron offered an option of requiring a special exception which would remove the Planning Board and Selectmen from the approval process and would include fire and police.

Chief King's concerns involve the mechanism planned for enforcement. King cited an STR that was booked for five people with instead twenty guests staying. Who shoulders the responsibility of a 1:00 am call out for an STR that is owned by a California person?

Lord wondered aloud if we are putting the cart before the horse and made a suggestion that we go to Town Meeting and ask the residents if they want STRs, yes or no. If the answer is yes, we move forward with the ordinance. Bergeron suggested a simple question like "Should STRs be allowed in zones other than commercial?". Lord noted that of the 2,500 residents, 1,900 are on the checklist with 300 of those voting and less than 100 of them at Town Meeting. Lord would like to see this as a ballot vote and hold a public hearing to keep people informed. Mauro was fond of the idea to bring this to Town Meeting and to set aside this draft ordinance. J. Shackford was in agreement and will bring this information to the Planning Board meeting on October 6th. Brooks suggested this public hearing be held the same night at the Budget Hearing.

Discussion of the Town employing three Town Counsels; Selectmen, Planning and Zoning lead to the question of can they all have one attorney. This is something that will be addressed.

Lakeside Security Camera System Quotes – Quotes were received regarding the installation of camera and voice recording security system in Town Hall. The Duhau 8 channel 4MP Starlight system estimate for material and installation is \$2,648.49. Also received was a quote to upgrade the security and fire panels and keypads with Napco brand products. The quote for materials and installation was \$3,591.00.

Motion by Lord, seconded by J. Shackford to upgrade both systems accepting the quote from Lakeside Security. The motion passed **3-0**.

OLD BUSINESS: There was none.

Selectman Shackford's List – No items

Selectman Mauro's List – No items

Selectman Lord's List - Lord began discussion with the desire to wrap up the issue with the junk yard violations on Village Road. Code Officer Boyd has had a difficult time determining if the fork lift is operational due to lack of communication from the landowner. Town Counsel will be contacted as we have a judgement from the court and would accept a lien on the property as closure. Lord offered to contact Town Counsel with the Board agreeing to this course of action. Lord also brought up:

- The Transfer Station guard shack has hit a slowdown due to a positive COVID test. It will begin again next week as per Cyr.
- Lord asked Cyr if the boat camp concrete has been ordered, Cyr responded yes.
- The material for the retaining wall in the lower-level parking lot comes with some option. Cyr explained that we can receive limestone blocks this year that we can stain ourselves or wait until next year for colored stones. The Board agreed to move forward with the limestone.
- Lord asked about the concrete stair replacement at the Historical Society. Cyr stated that Dig Safe has been out and now a delivery date needs to be scheduled.
- The radio inventory list has been given to Craig at OME per Cyr. Cyr brought Commissioner Buckley and Chief King into the conversation as part of this process because it includes adding another repeater to the VDOE tower. Buckley was of the understanding that space inside the building would be necessary with King agreeing. Buckley asked that this proposal be put in writing for the VDOE Commissioners to discuss at their meeting on September 14th.

Department Heads' Lists:

Chief Brooks – The build date for the rescue truck is scheduled for next week. The air packs have been certified, serviced, and all are functioning.

Chief King – The Silverado cruiser will be picked up in Nashua tomorrow and delivered to the outfitter in Portsmouth for the install. The Town received \$110.00 in fines from an offender at the Transfer Station. J. Shackford was witness to the offenders dumping trash and not paying the fees. Maverick training is going very well.

Director Cyr – Cyr would like the Board to consider purchasing a hydro seeder noting the usefulness of it by citing the work done by a hired company, costing \$1,100.00, at the ball field this summer for the bean hole area. This could possibly be an ARPA grant idea. Lord sees this as a way to mitigate soil erosion. Cyr can see its use for an eventual improvement to the ball fields and road sides. While on the ARPA grant topic, Cyr spoke of the need for consideration of air quality and a building that would help to mitigate the dust control issues and would be coverage for equipment. Cyr also mentioned that DES has regulations regarding same.

Cyr has submitted a purchase requisition to do an even trade of the 2013 1-ton for a Chevy Tahoe at Noyes Chevrolet. The DPW and code cars will not pass inspection this year and could suggested using the Tahoe for both departments adding that Cyr has use of a 1-ton. Cyr suggests selling both the failed

inspection vehicles. Eventually, Cyr would like to have a pickup truck to be used for Park and Rec department. The Board was in agreement to make the trade and signed the purchase requisition.

Administrator's List – No items

SIGNATURE ITEMS:

Manifest

Payroll & Accounts Payable Checks

2021 MS-1 Summary Inventory of Valuation

Purchase Requisition 2021-DPW-015 Noyes Chevrolet

6:09 PM - Lord made a **motion** to go into **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: Lord – aye; Shackford – aye; Mauro – aye

6:41 PM – Lord made a **motion** to return to public session and make the minutes public under RSA 91-A:3II (a) seconded by J. Shackford and so voted **3-0**.

6:41 PM – Mauro made a **motion** to adjourn, seconded by Lord, and so voted **3-0**.

NEXT SELECTMEN'S MEETING – The next Selectmen's Meeting is scheduled for September 21, 2021 commencing at 4:30 pm in the lower level of Town Hall.

Respectfully Submitted,

Linda Shackford,
Town Administrator