

**BOARD OF SELECTMEN
TOWN OF MADISON
JUNE 3, 2014
MINUTES**

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

Others Present - Town Administrator Melissa Arias; Fire Commissioner Denita Dudley; Fire Chief Jeff Eldridge; firefighters Phoebe-Lynn Rand & David Aibel; resident Phoebe Rand; Forest Fire Warden Richard Clark; North Conway Ambulance representatives Mitchell Gove and Scott Quilty; and Madison TV Videographer Noreen Downs.

Where and When Posted - Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 5, 2013.

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

APPROVAL OF MINUTES – Shackford made a **motion** to approve the Selectmen’s Meeting minutes of May 20, May 22, & May 29, 2014 as prepared, seconded by Brooks, and so voted **3-0**.

APPROVAL OF MANIFEST – Brooks made a **motion** to approve the Manifest of June 2 - 9, 2014 in the amount of \$101,637.07, seconded by Shackford, and so voted **3-0**. The Manifest breakdown is as follows: \$22,545.02 for payroll; \$7,123.52 for payroll liabilities; \$71,968.53 for accounts payable; and \$0.00 for the Madison School District.

THERE WERE NO PUBLIC COMMENTS

TRUSTEES OF THE TRUST FUNDS re: CEMETERY PERPETUAL CARE FUNDS – The Selectmen had requested a meeting with the Trustees of the Trust Funds to discuss Cemetery Perpetual Care Funds but Arruda announced that the meeting has been postponed until July 1st in order to obtain more information.

CODE ENFORCEMENT OFFICER RESIGNATION – Part-time Code Enforcement Officer Robert Babine has tendered his resignation effective June 25, 2014. The Selectmen discussed a draft advertisement and whether the same duties will be part of the new position. Currently Babine issues building permits and inspects residential & commercial buildings for compliance with State and local codes and ordinances. He also serves as Health Officer, Fire Inspector, Safety Officer, and Zoning Officer. Arruda would like the ad to be changed from 25 hours per week to up to 25 hours per week. Arruda said the Town of Conway doesn’t inspect residential structures, only commercial structures and multi-family residential structures over 2-units. Arruda said Madison could do this too but would likely have to change the fee schedule for residential permits because he’s been told towns can’t collect permit fees unless they provide inspection services. The Board decided to leave the job description alone and run the ad in the Conway Daily Sun as soon as possible.

CONSERVATION COMMISSION PLAN FOR GOODWIN FOREST WORK – The Selectmen reviewed a Purchase Requisition for \$3,839 from the Conservation Commission to Forest Land Improvements to be paid out of the Commission’s Forest Maintenance money market account. The Purchase Requisition included a Work Agreement document outlining \$2,842 to improve 1,600’ of an existing “fire break” and \$997 to build a new access road off Lead Mine Road to bypass the Veilleux

property and intersect with the original access road. Arruda said improvements to the existing fire break are part of the WHIP agreement and only improve an existing situation but the restrictive covenants in the Goodwin Forest deed that prohibit excavation and construction of new roads will not allow for the other work. Arruda said an opinion from Town Counsel was sought upon receipt of the Work Agreement and Purchase Requisition and came in through an attorney-client privileged letter making it clear that the Town cannot construct a new access road off Lead Mine Road. Arruda said there are four or more existing or proposed access points into the Goodwin Forest within a one-mile stretch so he sees no reason to construct another one. The Board said the cost is irrelevant; the real issue is the work cannot be done because of the deed restrictions and adequacy of the existing accessway.

Motion: Arruda made a **motion** to sign the Purchase Requisition to improve 1,600 feet of an existing fire break for \$2,842 but not authorize \$997 for a new access road. The Work Agreement needs to be amended to strike Item #3 because the work cannot be done regardless of the cost, seconded by Shackford, and so voted **3-0**.

Decision: The amended Purchase Requisition will be signed under Signature Items. Arruda made notations on the Work Agreement and each Selectman initialed next to the notation. Arias will provide a copy of the amended Purchase Requisition, altered Work Agreement, and draft Selectmen's Meeting minutes to the Conservation Commission Administrative Assistant.

TOWN HALL SIDING – The Selectmen received a proposal from John Neal Jr. Construction Company for \$3,420 to address the failing Town Hall siding. The cost includes renting a 60' lift for one week, delivery & pickup for the lift, labor for 2 men, and the metal starter strip & related hardware. Neal is counting on the Town having enough spare siding to complete the work. Brook said the cost is all labor and equipment to do the work which can't be avoided for much longer.

Motion: Brooks made a **motion** to authorize the Purchase Requisition for the Town Hall siding and get the work scheduled as soon as possible, seconded by Shackford, and so voted **3-0**.

Decision: The Selectmen will sign the Purchase Requisition under Signature Items and Arias will notify Neal tomorrow.

CLARIFICATION ON HIGHWAY TRUCK DISCUSSION FROM 5/20/14 – Brooks asked that this item be tabled until the Road Agent can attend the discussion. Arias will agenda the Road Agent at an upcoming meeting.

PUBLIC AUCTION DATE – Jay St. Jean from James R. St. Jean Auctioneers has provided prospective Public Auction dates for the Board to consider so 4 tax deeded properties that are beyond the statutory three-year redemption period can be sold. The Selectmen would like to hold the Public Auction on Saturday, July 26, 2014 and include Town Counsel for the document processing portion of the auction. Arias will communicate this to St. Jean and Town Counsel.

FIRE COMMISSIONERS MEETING – **Motion:** Arruda made a **motion** to recess the Selectmen's Meeting and enter into a Fire Commissioner's Meeting for approximately 30 minutes, seconded by Brooks, and so voted **3-0**. Brooks went to sit in the audience and Commissioner Dudley joined Arruda and Shackford at the table. **Decision:** The Fire Commissioners meeting began.

AMBULANCE CONTRACTUAL DISCUSSIONS – Dave Aibel asked why North Conway Ambulance was invited to speak to the Fire Commissioners when all previous contractual discussions and dealings have excluded the Commissioners and been only with the Board of Selectmen. Shackford said he's been Madison representative at the recent area ambulance contract meetings and decided to invite Mitch Gove and Scott Quilty from North Conway Ambulance here to talk with Madison because of the anticipated cost increases Madison and Tamworth will see when the next ambulance contract is signed. Arruda said it just happens that now two of the three Selectmen are filling vacant Fire Commissioner positions until March 2015. Shackford said the current 4-town ambulance contract that includes Madison, Freedom, Eaton, & Tamworth will expire at the end of 2015. Gove said continuing with the 4-town agreement at the same level of service would bring Madison's cost to \$62,000 per year under a new contract. Madison is paying \$28,100 per year under the current contract. Shackford said the recent area meetings resulted in North Conway Ambulance being asked to provide prices for four different ambulance service options for a 6-town agreement that would bring Ossipee and Effingham into the group. Gove said there are a number of variables going into the pricing, including the location of existing and potential ambulance base stations. Gove said North Conway Ambulance has been looking at the former Johnson Gas building at the corner of Route 41 and 16 as a possible future base which would likely take the place of the current lease at corner of Plains and Cross Road and might even be used to consolidate other base stations into one location. Shackford said the 6-town agreement would put Madison's annual cost somewhere between \$89,000 on the low end and \$124,918 for the most favorable service/staffing option. Gove said this all depends upon the contractual language regarding the number of available ambulances, staffing/certification levels, response time, etc. Shackford showed Arruda and Dudley the North Conway Ambulance handout specific to Madison's cost estimates based on population figures. Shackford said each town was provided a similar handout at a recent area meeting. Shackford said the towns in the current 4-town contract know they will see a sizable cost increase in the next contract because North Conway Ambulance bid low to get their foot in the door. Shackford said Madison's and Tamworth's cost increases will be even greater with the 6-town agreement where Freedom's increase with the 6-town agreement is only \$1,000. The Fire Commissioners didn't understand how Freedom's increase could be so much less proportionally to Madison's and Tamworth's. Gove said our current 4-town contract is for an Advanced Life Support (ALS) & Basic Life Support (BLS) staffed ambulance where the 6-town agreement would be at a much higher level of care and include EMT/paramedics. Arruda asked what the timeframe would be for the approval of a new contract and Gove said there is no drop-dead negotiation date. Shackford asked Gove and Quilty to explain how Ossipee's contract appears to be going down \$100,000 with the 6-town agreement and why Madison's share would go up by an equal margin. Shackford sees this as Madison subsidizing the cost for Ossipee going into a 6-town agreement. Arruda said Madison doesn't stand to gain anything by deviating from the current 4-town agreement and entering into a 6-town agreement from a financial standpoint. Gove said Madison would have a higher level of patient care with the 6-town agreement but there are a lot of options on the table. Arruda asked for a copy of the documents from the ambulance discussions that Shackford has attended. Quilty indicated that North Conway Ambulance has more firm numbers to share but is not comfortable doing so in public session because of the risk of being undercut during any future bidding process. Arruda indicated that a future non-public session could be scheduled to discuss contract negotiations and more solid numbers. Shackford said the area meetings are attended by not only Selectmen but also Fire Chiefs and EMS personnel. Shackford said the Selectmen tend to be more financially minded and the Fire/EMS personnel tend to be more concerned over services and level of care. Shackford said the cost increase will likely be hard to sell to the taxpayers even though the Selectmen from the 4 towns knew significant increases would be coming. Shackford said Selectman Babb from Freedom proposed deviating away from cost estimates based on population and suggested looking at specific percentage increases for Madison, Tamworth, Eaton & Freedom with the towns of Ossipee and Effingham making up the difference

for the 6-town agreement so all towns can realize higher staffing and certification levels. Shackford said Eaton's annual contract would go from about \$5,000 to \$10,000 but Madison's and Tamworth's cost increase between the 4-town agreement and the 6-town agreement were the most drastic. Gove said North Conway Ambulance is looking for other ways to provide pricing such as call volume by town or actual patient transports by town. Shackford said that the current towns in the 4-town agreement need to all be on the same page regarding whether to continue as 4 towns or switch to the 6-town agreement; otherwise the current numbers being quoted by North Conway Ambulance won't be valid. Shackford said Madison statistically calls for a paramedic intercept about twice as often as other towns which might work against us during the cost analysis process. Brooks said he would feel more comfortable using historical documentation on services requested and received over population numbers. Aibel said Madison doesn't currently have paramedics on the volunteer department where other departments have paramedics that respond to emergency calls on that town's behalf. Quilty said North Conway Ambulance currently employs and staffs a number of paramedics on the 4-town contract even though it doesn't require them. The Selectmen would like have North Conway Ambulance return to the July 15, 2014 Selectmen's meeting but later in the agenda to allow for a non-public session to talk specific contractual numbers.

FIRE DEPARTMENT BY-LAWS – Arruda said he has copies of various Fire Department By-Law documents along with a working draft of Standard Operating Guidelines (SOGs) from 2012 that Richard Clark said he provided to the former Fire Chief. Arruda said there is good material in the SOGs with some overlaps in the Fire Department By-Laws. Brooks said there are fundamental differences between By-Laws and SOGs. The Fire Chief asked Phoebe-Lynn Rand to go get the current guideline books from the Fire Department meeting room. Arruda said the SOGs are a technical manual that would be separate from By-Laws, which are more personnel related. Clark said the SOG template he provided the former Chief came about when the former Chief did away with the department By-Laws. Clark said the SOG template covered all operational procedures but were never finished. Rand came in with two separate three-ring binders that contain SOGs 100-300 and 300-600. Eldridge said these were put in place and voted upon by the Fire Officers. Eldridge said every member of the department receives a set of SOGs and has to sign off that they've read them. Arruda would like to compare the current SOGs against the former By-Laws and the template to make sure there are no missing or overlooked components. Shackford said typically the Chief of the department reviews the SOGs with the help of his officers before having the Selectmen or Fire Commissioners review and sign off their approval. This would hold true for any amendments or additions. SOGs are considered a work in progress and should continuously be referenced, reviewed, and amended when necessary. Arruda wants to make sure nothing within the SOGs conflicts with information in the Town's Personnel Policy. Shackford said this review is important but he's more concerned about the point system, how people are paid/reimbursed, and ensuring the calculation is done consistently. Arruda said as of March 2015 he envisions the Fire Chief becoming part of the Board of Selectmen meetings periodically. Arruda said the Chief would be scheduled on the agenda routinely but can always request to appear on any agenda in between. Arruda said although the Fire Chief and officers review the SOGs from a firefighter standpoint it would be advantageous for the Selectmen/Commissioners to review them from an administrative standpoint. Shackford asked whether Rescue would have separate SOGs from the Fire Department's and Aibel said they should be part of the Fire Department's SOGs because the organization is called Madison Fire/Rescue.

ROSTER - Dudley asked Eldridge how the roster is formulated. She pointed out that the most recent roster appears to list a recently resigned member as being on a leave of absence and lists two members she thought were on a leave of absence as active members. The Chief briefly explained his understanding of these situations.

REINSTATEMENT - Richard Clark asked whether there had been any discussion on his letter to the Fire Commissioners regarding a reinstatement to the Fire Department. Arruda said no because it should be done in a non-public session.

Motion: Arruda made a **motion** to recess the Commissioners meeting until the Selectmen's Meeting is finished so the Commissioners can go into a non-public session under RSA 91-A:3II(c) to discuss a Fire Department matter, seconded by Shackford, and so voted **3-0**.

Decision: Dudley returned to the audience and Brooks joined the Selectmen at the table to finish the Selectmen's Meeting.

**SELECTMEN'S MEETING -
SIGNATURE ITEMS –**

Manifest

Payroll & Accounts Payable Checks

Purchase Requisitions: #2014-GGBL-001 John Neal Const. (\$3,420) Town Hall siding repair; #2014-FIRE-002 Frechette Tire Co (\$800) tires for 4Car1; #2014-SOLD-001 Minuteman Press (\$533.33) TS coupons; #2014-CONS-001 Forest Land Improvement (\$2,842) see above New Discussion item Intent to Cut Timber #14-283-03T Kennett (223-001) with RSA on Scenic Roads
Timber Tax Warrants & Worksheets: #13-283-21T Carlson (228-024); #13-283-20T Haver (228-023); #13-283-16T Clayton Trust (228-043); #13-283-17T Schneider (228-038)

Excavation Warrant #13-283-07E Drew (232-038)

Abatement Application Decisions: DENIED – Mainella (109-127); Davis (112-010-016); MacIver (227-018)

Abatement Application Decisions: GRANTED – Cadman/Wolfe (106-010); Rand (229-029); Balthaser (242-010); Corson Trust (206-068); Stewart/Landry (113-111)

Registration of Existing Non-Community Water System with DES – Ward Parcel dug wells

6:57 PM – Arruda made a **motion** to go into non-public session under RSA 91-A:3II(b) to discuss hiring with the Police Chief and then into non-public session under RSA 91-A:3II(c) to discuss a personnel matter with the Town Administrator and then into a non-public session for the Fire Commissioners under RSA 91-A:3II(c) for a Fire Department matter, seconded by Shackford. Roll Call Vote: Shackford – aye, Arruda – aye, Brooks - aye. **8:05 PM** – Arruda made a **motion** to leave non-public session and seal the minutes of the three non-public sessions, seconded by Shackford, and so voted **3-0**.

8:05 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, June 17, 2014 at 8:00 a.m. and will have an abbreviated agenda to approve the Manifest and sign checks in the Town Hall Meeting Room. The Fire Commissioners will hold a work session on Tuesday, June 17, 2014 at 5:30 p.m. in the Town Hall meeting room for the purpose of discussing the point system and how new members join the department. This work session will be open to the public but no public input will be allowed without permission from the Fire Commissioners.

Respectfully submitted,

Melissa S. Arias, Town Administrator
Recording Secretary