

**BOARD OF SELECTMEN
TOWN OF MADISON
JULY 1, 2014
MINUTES**

Selectmen Present - Chairman John Arruda and Josh Shackford. **Absent** - Michael Brooks (arrived for the last two non-public sessions).

Others Present - Town Administrator Melissa Arias; Road Agent Bill Chick Sr. & Assistant Road Agent Bill Chick Jr.; Fire Warden Richard Clark; Fire Chief Jeff Eldridge; former Carroll County Commissioner Dorothy Solomon; Madison TV Videographer Tim Hughes.

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 June 17, 2014 as prepared, seconded by Arruda, and so voted **2-0**.

APPROVAL OF MANIFEST – Shackford made a **motion** to approve the Manifest of June 30 – July 7, 2014 in the amount of \$307,078.25, seconded by Arruda, and so voted **2-0**. The Manifest breakdown is as follows: \$21,789.44 for payroll; \$7,332.38 for payroll liabilities; \$177,956.43 for accounts payable; and \$100,000.00 for the Madison School District (release date 7/3/14).

THERE WERE NO PUBLIC COMMENTS

ROTATION OF OLDER HIGHWAY TRUCK – Road Agent Bill Chick Sr. & Assistant Road Agent Bill Chick Jr. were in to talk about the turn-out schedule for older Highway Department trucks as new trucks are purchased. Chick said there is a 1-ton truck that could be turned out now that the new truck has been delivered. Chick said he heard talk of the truck being turned into a forestry unit. Chick said the truck needs some work that was deferred this spring because he didn’t think the Town was keeping the truck but the frame and body are in decent condition. Chick talked with the Mechanic recently who said the truck needs new tires, a starter and other repairs which will cost about \$3,000. The truck has 151,880 miles and needs new tires soon. Clark said the dump body could be taken off and traded for a flat-bed style body that could hold a skid-unit. Shackford asked where the truck would be stored if converted into a forestry unit and who would be responsible for it. Clark said it would likely be parked outside like it has been as a Highway truck and would be considered another piece of firefighting apparatus. Clark said the large forestry unit that belongs to the NH Department of Resources and Economic Development is a 1977 and in some cases too large to get into certain properties. Clark said there are only a few people who can drive the 1977 forestry truck where any member could drive the pickup. Arruda asked the Fire Chief if there is money in the Fire Department budget to cover the \$3,000 expense and Eldridge said no. Arruda asked that the topic be tabled until the next meeting so the Selectmen can review a Budget Drawdown in hopes of finding money. Chick said the oldest top-kick (truck #5) is due to be rotated out next but he’d like to keep it as a spare until after 2015 Town Meeting when another truck purchase is proposed.

EAST MADISON ROAD BRIDGE – The Selectmen asked Chick what he’s heard recently about the East Madison Road bridge project. Chick said the last he heard was the project would start shortly after the 4th of July and the road would be closed with detour signs for many weeks.

LEDGE POND VOLUNTEER CLEAN-UP – In Brooks’ absence Arias brought up the issue of 30+ tires being gathered during the Carroll County Fish & Game Club’s recent volunteer effort to clean up around Ledge Pond. Brooks had asked Arias to find out Frechette Tire’s disposal fee for passenger size tires which is \$5 per tire. Arias was uncertain what Brooks’ proposal was going to be regarding the tires so the topic will need to be put back on the next agenda. Shackford has heard there is some demand for tires and suggested someone from the Solid Waste Advisory Committee (SWAC) look into vendors who might take the tires for nothing.

TEMPORARY CLOSURE OF CASCADE TRAIL – Arruda announced that for safety reasons and to avoid trespassing on private property the Town has closed the public hiking trail into the Cascade property until the Historical Society building project is complete. There is no place to park around construction equipment and fencing and no way to access the trail at the back of the Historical Society property without crossing private property. Signs to this affect have been posted on the property. Arruda asked that Madison TV run a ticker-tape announcement at the bottom of their broadcasts to help get the word out and apologize for any inconvenience.

ANTIQUE FIRE TRUCK STORAGE – Chick Sr. asked if the antique fire truck will be moved to the Historical Society property once the building project is complete. The Selectmen didn’t think that was part of the plan because the shed roof proposed at the rear of the building won’t have clearance enough given the slope of the land. Chick said the truck needs to be taken out of the Madison Garage property to free up much needed space and ensure the truck isn’t scratched or damaged. Chick asked if the truck could be moved and stored outside next to the Madison Garage, up on blocks, with a tarp or shrink-wrap to keep it protected. Shackford said he’s still in favor of selling the antique truck but knows he’s in the minority. Arruda would like to see if there’s any potential to store the truck on the Historical Society property at the end of the project. The Selectmen asked the Fire Chief about the department’s preference and Eldridge said the Fire Department would like to be able to keep, store and work on the antique fire truck so it can be used in parades and other events but they don’t have space in the station. Clark offered to research a surplus Quonset hut as an alternative.

PROPERTIES WITH OUTSTANDING 2011 TAXES IN DANGER OF TAX DEEDING – Tax Collector Marcia Shackford provided the Selectmen with a list of property owners who had outstanding 2011 property taxes as of May 27, 2014. These property owners are in jeopardy of losing their property to a tax deed in August 2014 if payment isn’t rendered prior to the due date. The Selectmen will need to determine whether any of the properties come with potential liability which would cause the Selectmen to sign a Deed Waiver over a Tax Collector’s Deed. Arruda asked that a more up-to-date list be produced just prior to the next Selectmen’s Meeting so the Board can get a better idea of how many lots are involved.

INQUIRY ABOUT LIMIT OF DOGS ALLOWED ON RESIDENTIAL PROPERTY – A prospective property owner called Town Hall recently inquiring about local regulations that limit the number of dogs allowed on a residential property. Arias believes the caller was instructed to inquire with the Police Department who would receive such complaints. Shackford said the state law is clear that nuisance complaints are handled by the Madison Police. Arruda said the caller has a sled dog team not a dog breeding or kennel business.

CARROLL COUNTY VETERANS HOUSING PROJECT – Former Carroll County Commissioner Dorothy Solomon requested a spot on the agenda to discuss a proposed housing project for homeless veterans. Solomon said the County Delegation gave her group eighteen months to come up with a plan and funding to renovate two wings of the old Ossipee nursing home building for homeless veterans. Solomon said there will be 17 beds, a few all-purpose rooms, and an office built within the wings which will not be accessible from within the central nursing home. Electrical and heating expenses will come from the County but will be reimbursed by the organization. The veterans would be given assistance in the form of transitional housing and guidance and support to get back on their feet. Solomon said the group is seeking grant funding but may be asking Carroll County towns for financial contributions in the future. Solomon's group has been assign its own Federal ID number and donations are being solicited to Starting Home Inc., PO Box 2085, Wolfeboro, NH 03894. Their website (www.vethousecc.org) is currently in the development stages. Solomon said there are more homeless veterans in Carroll County than people think. Solomon said there isn't a way to determine how many homeless people there are in Carroll County because there isn't a place here where homeless people can go besides Starting Point which is specific to victims of domestic violence.

PUBLIC AUCTION ADVERTISEMENTS – The Selectmen reviewed proposed language from James R. St. Jean Auctioneers for Conway Daily Sun and Manchester Union Leader advertisements for the absolute auction of four tax deeded properties on Saturday, July 26, 2014 at 10 am in the Madison Elementary School gym. Arias said St. Jean inquired about the significance of the large pine trees along Winter Road that he found referenced during his research. Arruda said the Winter Road trees were considered to be historical to World War I veterans and the Town came within one vote of cutting down three of the large trees several years ago. Arruda would like to see the document that St. Jean is referencing so Arias can share it with Town Counsel.

PUBLIC AUCTION AGREEMENT & DEPOSIT RECEIPT – The Selectmen reviewed proposed language from Attorney Graham of the Soule firm for 'Agreement and Deposit Receipt' forms for the four tax deeded properties to be sold at the above referenced absolute auction. There were no comments from Arruda and Shackford on these documents. Feedback from Brooks can be forwarded to Town Counsel prior to the auction.

TOWN PROPERTY REGULATION – Arruda brought up an issue raised recently by a concerned citizen about non-residents being able to use Kennett Park. Arruda said he asked Stacey to pull all the paperwork on this property. During his research Arruda found that the property was donated to the Town by the Kennett family with the deed specifying for use by Madison residents. In 1986 the Town received funds from the Division of Resources and Economic Development (DRED) to improve the property. The agreement with DRED did not specify that the park had to be open to the general public. Arruda said the DRED Inspector's checklist indicated the park was open to the public but the form also allowed a spot for the property not being open to the public. This finding leads Arruda to believe the property doesn't have to be made open to non-residents. Arruda also pointed out that the parking area at Kennett Park is within the State of NH's right-of-way. Vehicles can't get to the portion owned by the Town due to the curbing and fence. Shackford said he thinks properties that use Federal or State funds toward improvements need to be open. Arruda would like Stacey to contact DRED for a determination on whether the property needs to be open to the general public due to the 1986 grant funds. Arruda said the Town Property Regulation might need to be modified slightly to indicate that parking is regulated at the Boat Ramp and Foot of the Lake Beach only. These two properties are the only ones where the Town owns the land under the parking lots.

Shackford recommended the Police Chief review and comment on the current regulation with respect to parking before a Public Hearing is posted for July 29, 2014.

CORRECTIVE & CONFIRMATORY SELECTMEN'S DEEDS – Arias said the Carroll County Registry of Deeds returned the Corrective & Confirmatory Selectmen's Deeds signed by the Board on June 17, 2014 without recording them. They advised the Selectmen to only confirm the action of the town's 1990 public auction and leave the second corrective action to the grantee since it was a personal matter. Therefore, Arias prepared Confirmatory Selectmen's Deeds for tax map 114, lot 046 and tax map 206, lot 028 which will be signed under Signature Items and sent back to the Registry for recording. A copy of the two Selectmen's Deeds signed by the 1990 Board of Selectmen will be included as Exhibit A.

Motion: Arruda made a **motion** to sign the two Confirmatory Selectmen's Deeds for map 114, lot 046 & map 206, lot 028, seconded by Shackford, and so voted **2-0**.

Decision: The two deeds will be signed under Signature Items.

HAZARD MITIGATION PLAN EXTENSION - Clark said FEMA has changed their requirements and components of Madison new Hazard Mitigation Plan need to be modified by the vendor we contracted with. In order to accomplish this Madison and about eight other towns need to file for an extension. The necessary paperwork has been submitted as a Signature Item for the Board.

SIGNATURE ITEMS –

Manifest

Payroll & Accounts Payable Checks

Purchase Requisition #2014-GGBL-002 - JP Pest (\$750) squirrel abatement @ Madison Garage

#2014-POLI-001 – Neptune Uniform (\$1,600) uniforms/equip for new hire

Workers Compensation Law Notice of Compliance (signed by Chair)

Confirmatory Selectmen's Deed – Town to Graffam (114-046) to replace 1990 deed not recorded

Confirmatory Selectmen's Deed – Town to Graffam (206-028) to replace 1990 deed not recorded

Hazard Mitigation Planning Grant extension request to 9/17/2015

Settlement Agreement – Clark v. Town of Madison et al

6:43 PM – Arruda made a **motion** to go into non-public session under RSA 91-A:3II(c) to discuss default of a tax payment arrangement with the Tax Collector then into non-public session under RSA 91-A:3II(c) to discuss outstanding property taxes with the Tax Collector then into a non-public session under RSA 91-A:3II(b) to discuss the impending departures of the Town Clerk/Tax Collector and Town Administrator with the TC/TC and Town Administrator then into non-public session under RSA 91-A:3II(b) to discuss a contract for hiring with the Police Chief, seconded by Shackford. Roll Call Vote: Shackford – aye, Arruda – aye. **8:20 PM** – Arruda made a **motion** to leave non-public session and seal the minutes of the four non-public sessions, seconded by Shackford, and so voted **3-0** (Brooks had joined the meeting by then).

8:20 PM – Shackford 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, July 15, 2014 at 5:30 p.m.

Respectfully submitted,

Melissa S. Arias, Town Administrator
Recording Secretary