

**BOARD OF SELECTMEN
TOWN OF MADISON
SEPTEMBER 23, 2014
MINUTES**

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

Others Present - Town Administrator Melissa Arias; Jack Rose & Barbara Anderson from Carroll County Transit; Fire Chief Jeffrey Eldridge; Police Chief Jamie Mullen; Madison TV videographer Amy Boyd & trainee Carol Dandeneau.

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 5:35 p.m.

APPROVAL OF MINUTES – Shackford made a **motion** to approve the Selectmen’s Meeting minutes of September 9, 2014 and September 10, 2014 as prepared, seconded by Brooks, and so voted **3-0**.

APPROVAL OF MANIFESTS – Shackford made a **motion** to approve the Manifest of September 22 - 29, 2014 in the amount of \$171,703.55, seconded by Brooks, and so voted **3-0**. The Manifest breakdown is as follows: \$24,500.75 for payroll; \$7,181.34 for payroll liabilities; \$40,021.46 for accounts payable; and \$100,000.00 for the Madison School District (release date 9/25/14).

THERE WERE NO PUBLIC COMMENTS

CARROLL COUNTY TRANSIT – Representatives Jack Rose and Barbara Anderson from Carroll County Transit were in to update the Selectmen on the public transportation programs. Rose said the Blue Loon usage is growing over time. Rose said eight out of nine area towns appropriated funds for Carroll County Transit at their 2014 Town Meetings. Rose asked the Selectmen what it would take to get their recommendation on a 2015 petitioned warrant article. Rose would like to avoid votes of non-recommendation by the Madison Selectmen and Advisory Budget Committee next year. Arruda suggested Carroll County Transit circulate a simple end-of-year report for each area town and a consolidated report for the whole transit area; nothing overly elaborate or difficult to comprehend like last year. Rose said he is also looking for someone from Madison willing to work with and be trained by Barbara Anderson as Madison’s representative to Carroll County Transit. Anderson is looking to phase out of the representative role but doesn’t want to leave a vacancy. Arruda asked Madison TV to run a banner message at the bottom of future broadcasts soliciting for a Madison representative on the Carroll County Transit Board. Brooks said he would need to see proof that the program can be self-sustaining in order to support it going forward. As of this time Brooks isn’t convinced the program can sustain itself. Rose said the Transit receives subsidies from the Federal Transportation Administration with the Transit having to match 20% of the subsidy funding. Brooks asked about the plan to start replacing existing buses and was told by Rose that the buses are currently owned by the NH Department of Transportation. Rose said he’s been assured by DOT that replacement buses will be available when the time comes.

ROCKHOUSE MOUNTAIN DEVELOPMENT WATERLINE PLANS – David Mennella, President of Rockhouse Mountain Property Owner’s Association, requested an appointment with the Selectmen but was unable to attend at the last minute due to a scheduling conflict. Mennella is looking to have the

discussions from 2013 resurrected regarding the planned installation of a waterline from a new well on the privately owned Madison property of Debra Iampietro. The proposed waterline will need to be installed under and along 250 feet of Class VI Modoc Hill Road before going into the Town of Conway and the Rockhouse Mountain development. Mennella recently provided Arias with a plan titled 'Proposed Waterline Easement Class VI Section of Modock Hill Road Located in the Town of Madison, NH' drawn by Briggs Land Surveying for the Rockhouse Mountain Property Owners Association. Mennella also provided a plan titled 'Rockhouse Mountain Drive Drainage Improvements' drawn by Civil Solutions LLC to show Modock Hill Road drainage mark-ups. Arruda read from a July 13, 2013 letter from the Board of Selectmen to Mennella which outlined the items required by the Town before moving forward with a waterline easement. Arruda said the first two items listed in the letter haven't been received by the Town yet. These items are (1) documentation of ample water being located upon the property of Debra Iampietro at 1005 Modoc Hill Road (tax map 214, lot 006), with Modoc Hill Road being a Class VI Road; and (2) documentation that Debra Iampietro will be granting the Association an Easement over her land for the well-head and related waterline. Brooks said he's able to draft an easement for Town Counsel to review and approve prior to the Board signing the document. Brooks said the signed easement and plan of Briggs Land Surveying will need to be recorded at the Carroll County Registry of Deeds.

FIRE DEPARTMENT ENTRY DOOR & LOCK – The Selectmen discussed the best means to handle the changing out of the Fire Department side-entry door and whether to continue using the same programmable push-button lock mechanism or to change to a different system of entry. Arruda said the existing lock mechanism is only serviceable by a local locksmith due to the complexity of the programming and tracking feature. Arruda said the existing door is in poor shape and a new door is at the Fire Department building ready to be installed. Arruda said this is the time for the Selectmen to determine what type of lock the new door should have so we don't bore holes in the new door that aren't needed. Arruda said three other municipal buildings have security systems operated by internal key pads which might be an easy add-on for the Fire Department. Police Chief Jamie Mullen said having to carry a key and remember an entry code during an emergency situation when adrenaline is running through your system isn't ideal. Mullen said there are locks that work off of security cards that are coded and individualized for every member. Mullen said the cards can be swiped through the lock or even read digitally through clothing or wallets to give entry to the building. Eldridge said one or more of the Ossipee Fire Departments has been outfitted with this type of entry system. Eldridge will inquire about the cost, ease of use, and monitoring vendor used for such a lock. Arias was asked to contact Lakeside Security to see if they offer a system like this and what the cost would be.

FIRE DEPARTMENT BUDGET – Sue Stacey is looking for guidance from the Board per their directive to split out or isolate the Forest Fire and Fire Warden lines from the Fire Department operating budget so those two amounts aren't considered part of the overall Fire Department line. Stacey's question is whether the 2014 Fire Department budget amount should be reduced by the total of the 2014 Forest Fire and Fire Warden lines or not. The Selectmen said the simplest time to make the split is at the start of the 2015 budget year. The group briefly discussed whether to establish a standalone page for Forest Fire/Fire Warden or list those two lines as sub-accounts of the Fire Department page like is done for the Treasurer under the Financial Administration line. Arruda will talk more about this with Stacey in order to have the budget pages and future Drawdowns reflect the split.

SILVER LAKE DAM STOP LOGS – Arruda was informed by part-time seasonal employee and dam keeper Wayne Jones that new stop logs will need to be built after they are removed this fall and before they are reinstalled next spring. Arruda said the old boards will need to be used as templates for the replacement boards to ensure they fit correctly next spring. Arias was asked to contact a few local contractors to get

pricing on building new stop logs. Arias said she was also asked by Wayne Jones to contact Randy Huston who works on the dam regarding a couple cracks between the small gate and large gate of the concrete portion of the dam. Arias is awaiting a call back at this time.

PART-TIME SEASONAL EMPLOYEE JOB DESCRIPTION – The Selectmen reviewed the draft job description for the Part-Time Seasonal position being vacated by Wayne Jones on October 15, 2014. The scope of Jones’ work has evolved over the years and now surpasses the duties covered by the General Maintenance job description in the Personnel Policy. Recently Arias, Stacey, & Jones worked together to formulate a more detailed job description for the Selectmen to review, approve, and add to the Personnel Policy. Arias indicated that the Part-Time Seasonal job description isn’t intended to replace the General Maintenance job description within the Personnel Policy; in fact, taking the General Maintenance job description out of the existing policy would result in a page numbering disparity. Arias said much like several other job descriptions in the Personnel Policy the General Maintenance Position can just remain vacant.

Motion: Brooks made a **motion** to adopt the Part-Time Seasonal Position job description, seconded by Shackford, and so voted **3-0**.

Decision: The Selectmen will sign the approval portion of the job description page under Signature Items.

ZONING BOARD OF ADJUSTMENT DECISION FOR POMEROY – Arruda recapped the progress of the building permit process for Ben Pomeroy to build a new structure in place of an existing structure on map 125, lot 003-001 off private Winter Road. Arruda said last month the Zoning Board of Adjustment (ZBA) heard Pomeroy’s Appeal of an Administrative Decision which was that of the Board of Selectmen to deny the building permit application. Arruda said the ZBA over-turned the Selectmen’s decision and voted that the Pomeroy’s building permit should be issued. Arruda said Town Counsel advised the Selectmen to wait for the 30-day period for an appeal or motion for rehearing to lapse prior to moving forward. Arruda said the 30-days is up and the Selectmen now have the Notice, Agreement, and Release document before them for consideration and signing. Brooks said he is concerned about the decisions made by the Board of Selectmen and feels the Board did the right thing by sending Pomeroy to the ZBA. Brooks still thinks the Selectmen should consider every building permit application on a case by case basis where RSA 674:41 is concerned. Arias asked what this means for Pomeroy’s sister and brother-in-law, the Martin’s, who are expected to be applying for a building permit for map 125, lot 003-003 in the near future. Contrary to Brooks’ statement, Shackford said he doesn’t feel the Martin’s should be expected to go through the ZBA application process like Pomeroy based on the similarities with the two adjacent building sites. Arias asked whether the Selectmen want to see Martin’s building permit application first or the Notice, Agreement, and Release document. The Board indicated that Martin should file a building permit application first which would be discussed by the Selectmen at their next meeting.

Motion: Arruda made a **motion** to sign the Notice, Agreement, and Release for Ben Pomeroy, seconded by Brooks, and so voted **3-0**.

Decision: The Selectmen will sign the Notice, Agreement, and Release for Pomeroy which will be Notarized and sent to the Carroll County Registry of Deeds for recording at Pomeroy’s expense.

ZONING BOARD OF ADJUSTMENT CASE FOR CUL-DE-SAC SETBACKS – Shackford said he attended last week’s Zoning Board of Adjustment meeting where an Appeal of an Administrative Decision

was heard for property of Joseph Caparco at tax map 115, lot 018. Caparco submitted a building permit application to build a new home on his property which has the majority of its road frontage along the Nacomia Drive cul-de-sac. The building permit was denied by the Selectmen in the absence of a Code Enforcement Officer because the proposed location of the house appeared to be too close to the front property line. During this process the Selectmen discovered that the Madison Zoning Ordinance doesn't adequately define how to measure for the center-line of the road setback when a property fronts a cul-de-sac. The proposed plan showed a distance of 84.45 feet from the center of the paved cul-de-sac yet the house is only 19 feet from the front property line. The current Zoning Ordinance setback from the center-line of a road is 75 feet. Shackford said the ZBA overturned the Selectmen's decision to deny the building permit stating it wasn't up to the Selectmen to interpret the Zoning Ordinance. The ZBA decision and minutes from the hearing will need to go to the Code Enforcement Officer prior to the building permit being issued. Arruda said the Selectmen and Planning Board will need to ensure language is proposed for a Zoning Ordinance amendment on the 2015 ballot to address this matter.

PAVING PROPOSAL – Arruda said the Selectmen previously signed a contract with R&D Paving for 1,310 tons of asphalt to pave a sizable portion of East Madison Road. The Road Agent asked R&D to provide a revised contract for 1,800 tons of asphalt to cover more of East Madison Road. Arruda said he worked the numbers and found the Town will only have enough money to increase the tonnage from 1,310 tons to 1,325 tons. Arruda said the bridge work came in \$65,000 over budget which has cut into the ability to pave more of East Madison Road. Arruda said the Selectmen have also authorized some funds from either the East Madison Road warrant article or the Highway Department operating budget to go toward the cost of replacing a broken stone corridor in front of the Historical Society during the recent building relocation project. Burnham Company removed the old stone corridor and replaced it with a pre-cast form with catch basin which improves the drainage along East Madison Road.

Motion: Arruda made a **motion** to revise the latest R&D Paving contract from 1,800 tons to 1,325 tons, seconded by Brooks, and so voted **3-0**.

Decision: Arruda modified the proposal and signed at the bottom.

INTENTS TO CUT ON CLASS VI ROADS – Arias said there are three Intents to Cut Timber under Signature Items that will be using Class VI Roads to access the cut. Arias reminded the Board that standard practice is to require the posting of a \$1,000 performance bond prior to any work commencing. Arias said the Code Enforcement Officer has been asked to take digital photographs of the three Class VI Roads before the end of this week to document the condition of the roads.

Motion: Brooks made a **motion** to have letters sent to the foresters/loggers and property owners for the three Class VI Road Intents to Cut requiring the posting of a \$1,000 performance bond prior to the Intent forms being signed out of session by the Selectmen, seconded by Arruda, and so voted **3-0**.

Decision: Arias will prepare letters outlining the decision of the Board tomorrow.

SIGNATURE ITEMS –

Manifest

Payroll & Accounts Payable Checks

Intent to Cut Timber #14-283-06T – McNair Revoc Trust (246-008)

#14-283-07T – Downs (258-002 & 258-003) w/Class VI Logging Reg.

#14-283-08T – McNair Revoc Trust (250-001) w/ Class VI Logging Reg.

#14-283-09T – Graves/Whitaker (214-001) w/Class VI Logging Reg.

Letter of support for CCSO Dispatch's grant application to Homeland Security & Emer. Mgmt.

R&D Paving Contract – East Madison Road (replaces 7/25/14 contract #7/27/2594)

Job Description for Part-Time Seasonal Position – if approved under New Business above

Madison's page of the multi-town Ambulance Services request for proposal document

Notice, Agreement, and Release for Pomeroy (125-003-001)

6:28 PM – Arruda made a **motion** to go into non-public session under RSA 91-A:3II(c) to discuss a personnel matter with the Police Chief, seconded by Brooks. Roll Call Vote: Brooks – aye; Shackford – aye; Arruda - aye. **6:50 PM** – Arruda made a motion to return to public session and seal the minutes of the non-public session, seconded by Brooks, and so voted **3-0**.

6:50 PM – Shackford made a **motion** to adjourn, seconded by Brooks, and so voted **3-0**.

NEXT SELECTMEN'S MEETING – The next Selectmen's meeting will be on Tuesday, October 7, 2014 at 5:30 p.m. in the Town Hall meeting room. The Fire Commissioners meeting will be part of this agenda as well.

Respectfully submitted,

Melissa S. Arias, Town Administrator
Recording Secretary