

**BOARD OF SELECTMEN  
TOWN OF MADISON  
June 4, 2019  
MINUTES**

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

**Others Present** – Taxpayers Richard Eldridge, Robin & Scott Hain, Brad McKenzie, Dan Bartnick, Donna Veilleux; Fire Chief Richard Clark; Police Sergeant Jim Hayford; DPW Director Jon Cyr; Mechanic Rob Rand; Town Administrator Linda Shackford; TV Videographer Carol Dandeneau

**Where and When Posted** – Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 31, 2018.

**Meeting Called to Order** – By Chairman Shackford at 5:32 pm

**APPROVAL OF MINUTES:**

**Motion** by Arruda, seconded by King, to approve the minutes of May 21, 2019 as written. The motion passed **3-0**.

**APPROVAL OF MANIFESTS:**

**Motion** by Arruda, seconded by King to approve the Manifest of June 3-13, 2019 in the amount of \$633,018.29. The Manifest breakdown is as follows: \$139,963.00 for Accounts Payable; \$26,202.73 for payroll; \$7,046.56 for payroll liabilities; and \$459,806.00 for Madison Elementary School. The motion passed **3 -0**.

Chairman Shackford closed the regular portion of the Selectmen’s meeting for a public hearing.

**PUBLIC HEARING  
EMERGENCY LANE**

*The Madison Board of Selectmen will hold a public hearing in accordance with RSA 231:59-a Emergency Lanes. The hearing is being held to declare, as currently located, Ami Kennett Road an Emergency Lane 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 benefits of landowners abutting such lane.*

This hearing was posted at the Town Hall, Madison Post Office and Silver Lake Post Office on May 22, 2019 and notices were mailed to abutters.

Chairman Shackford opened the Public Hearing per RSA 231:59-a at 5:33pm.

J. Shackford explained that Class VI Ami Kennett Road had a culvert removed near the entrance at East Madison Road during a logging operation. The road had no bond posted as none was requested. The road is impassable and needs to be improved to allow emergency fire vehicles access to the backland for fire protection. This necessitates the replacement of the culvert.

J. Shackford asked for public comments: Brad McKenzie, abutter to Ami Kennett Road, stated that there has been no culvert in there for years as it was washed out by torrential rains. McKenzie noted that there are five water crossings on Ami Kennett Road when you travel from East Madison Road to Maple Grove Road. J. Shackford stated that the improvement will be just enough to make it passable for fire protection. McKenzie expressed his concern of the cost to make it passable. J. Shackford stated that the DPW will be doing the improvement. McKenzie also expressed his concern of it becoming a “mudding road”. J. Shackford asked that he call the police should that ever become an issue.

Donna Veilleux, resident, asked for clarification of the work planned for Ami Kennett Road. J. Shackford stated a culvert will be installed and back filled with gravel in the area of the culvert. The intension is to remove the Emergency Lane declaration after the work is done. Veilleux asked if a public hearing is required to remove it from an Emergency Lane. J. Shackford stated no. Veilleux asked for an estimate of the cost. Director Cyr stated a realistic maximum of \$1,000.00.

McKenzie asked that the area be walked before any improvements are made.

An email from Paul Kirsch, abutter, was read aloud. The email held two points. They were addressed and it was decided that Kirsch can move the small bridge over to his land as a footpath crossing; and that the two old culverts on his land will be removed when the improvements are made.

King offered some history of the road:

- Ammi Kennett is another acceptable spelling of the name;
- Ammi Kennett was buried in Gilman Cemetery about 120 years ago;
- A court was petitioned in 1861 to protect the road from discontinuance; and
- In 1980 it was officially designated a Class VI road.

Chairman Shackford closed the Public Hearing at 5:51pm.

**Motion** by Arruda, seconded by King to deem Ami Kennett Road an Emergency Lane for purposes of fire protection. The motion passed **3-0**.

#### **PUBLIC COMMENT:**

Chief Clark became aware yesterday that there is a Homeland Security grant available for programming of radios. Chief Clark has volunteered to be the contact person for the project that will include fire and police radios. Ossipee Mountain Electronics will do the programming. Chief Clark requested that the Board agree to sign the paperwork out of session.

**Motion** by King, seconded by Arruda to sign out of session the paperwork regarding the Radio Operability Grant. The motion passed **3-0**.

Robin Hain of 185 Charlotte Point Road approached the Board with follow up discussion from the last meeting regarding Winter Road. Hain stated she has spent a few hours reading documents and the Master Plan. Hain asked if Booth was informed of the idea of cutting through his property with Winter Road. L. Shackford offered that during her conversation with Booth it was not mentioned; Mr. Booth had stated that he was not sure of his future plans for the property which could include building a home. Hain stated that Winter Road is a scenic road and asked if there are more than twelve road scenic roads in town. King was not sure of the number of roads, but there is a list available at the Town Clerk's office.

Eldridge stated that there is a policy to be followed for cutting trees on scenic roads. Arruda agreed and stated a public hearing would be held.

Hain, noting the increase of traffic on Winter and Charlotte Point Roads in the summer, recommended that the Board check their list of options, which include a by-pass and/or tree cutting. Hain also wants to see a public hearing held before Labor Day that would get all the information gathered out to the public. Hain sees the most important task of repair of the apron at Village and Winter Road being done soon. Director Cyr is aware of the importance of that project and has plans to tear out the apron, repave and possibly repave along Winter Road as far as Pit Road.

Hain presented to the Board a list of ten items, that until all resolved, requests be placed on the bi-weekly agenda.

Eldridge asked if a tree company has been contacted. Cyr responded yes, but all the companies are behind because of weather.

J. Shackford reminded all that this project was proposed years ago and met with resistance. The idea of eminent domain is difficult as it is necessary to show a court a hardship with no alternative, adding that at this point, we don't know if that would cost more than tree removal.

Eldridge lamented that heavy taxpayers on the lake are getting nothing for their tax dollars and it is time for the Town to step up. Eldridge suggested talking to Booth about giving their land to the town.

J. Shackford stated that the Board will be taking one step at a time and explore options.

Hain asked if this can be put on the next agenda. King stated yes.

#### **DISCUSSION ITEMS/NEW BUSINESS:**

**Dan Bartnick – Churchill Road** – Mr. Bartnick purchased 233-002 off Modoc Hill Road in 2018 and was issued a driveway permit off of Class VI Churchill Road. Because of a recent logging job, access to his property on Churchill Road has been left impassible. Director Cyr stated he went to view the road today and is aware of Mr. Bartnick's concern.

Bartnick also asked about the location of Churchill Road. It is understood that the Churchill Road comes into Modoc Hill Road at a right angle, but access is gained by a curved entrance through Map/Lot 223-003. King read the description from the Class VI road study book. Rand recalled being told years ago by his grandfather that Churchill Road went straight, not following the curve.

Cyr offered to contact the logger and arrange a meeting between himself, the logger and Bartnick at the property to discuss repairing the road.

Bartnick questioned if access to his property could be from 223-003 by the town asking to use that area as a Class VI portion of Churchill Road. J. Shackford stated that is a legal question they cannot answer. Bartnick asked if he could return should more questions arise. The Board would welcome him back.

**SLAM – Monument Beach DOT Letter Request** – A letter received from SLAM's Ted Kramer requests the Board to sign the attached suggested letter to Senator Bradley citing the reasons for assistance with the drainage of Route 113 to Monument Beach. This issue was discussed at the May 21 meeting. Cyr asked that it be noted he previously stated that this project would be a nice idea, but did not know if it was feasible. J. Shackford would rather have the chance to review the verbiage of the letter before signing. King suggested that L. Shackford revise the letter to reflect the Boards feeling on this issue. Arruda considered asking Green Mountain Conservation Group to do some testing as scientific evidence is one of the criteria necessary before the state will take any action. J. Shackford will bring this up GMCC water testing at the next Conservation Commission meeting.

**Vote to sign out of session the release of payment for the Police Cruiser & Fire Vehicle - Motion** by J. Shackford, seconded by Arruda to sign, out of session, the documents to release payment for the Police Cruiser and Fire Vehicle once they have arrived. The motion passed **3-0**.

**OLD BUSINESS** – There was none.

**Selectman Shackford's List** – No items

**Selectman Arruda's List** – The budget has 44.7% spent at the 42% point of the year. Highway is on target and the gap is closing.

**Selectman King's List** – No items

**Administrator's List** – L. Shackford asked if the Board was agreeable to installing a mailbox at the entrance to Town Hall as a pickup location for residents after hours; citing an example for the need because of transfer/beach stickers that are usually taped to the door for pickup. The Board was agreeable.

**Chief Clark** – Chief Clark asked for the appointment of Jay Buckley as a Deputy Fire Warden. Buckley will be able to assist with fire permits in VDOE. The Board will sign the appointment with the signature items. Chief Clark also mentioned that a new system is in place for rental property fire pits. This system requires that each renter apply for a permit to have a fire pit versus the homeowner applying; which brings a larger work load for the wardens.

## **SIGNATURE ITEMS**

Manifest

Payroll & Accounts Payable Checks

Petition and Pole License – PSNH#: 45-0280

Purchase Requisition – 2019-POLI-001 2019 Dodge Charger \$50,610.85

Notice of Intent to Cut: 231-003 Molloy

*This Intent to Cut is located on New Road. New Road is a Class VI Road. Director Cyr and Code Officer Boyd will visit the location and decide upon the amount of the road bond.*

Yield Tax Levy: 115-0458-004 \$697.38

Deputy Forest Fire Warden Appointment Form

Purchase Requisition: 2019-HIGH-010 High St Sand and Gravel \$5,824.00

*Director Cyr explained that this PR is for sand that was used over the winter. The billing on this was late.*

Confirmatory Selectmen's Deed: Peter Svirsky and Patricia Svirsky 104-109

**6:45 PM** – J. Shackford 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 and **per RSA 91-A:3II (b)** The hiring of any person as a public employee.

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

**7:25 PM** – J. Shackford made a **motion** to return to public and seal the minutes of the non-public session per RSA 91-A:3II(a) and (b), seconded by King and so voted **3-0**.

**7:25 PM** – Arruda 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, June 18, 2019 at 5:30 p.m. at the Town Hall Meeting Room.

Respectfully Submitted,  
Linda Shackford, Town Administrator