

**BOARD OF SELECTMEN
TOWN OF MADISON
October 5, 2021
MINUTES**

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

Others Present –DPW Director Jon Cyr; Chief Robert J. King, Jr; Officer Michael Mosher; Code Officer Bob Boyd; Transfer Station Attendant John Arruda; Town Clerk/Fire Chief Mike Brooks; Town Administrator Linda Shackford; MadTV Videographer Carol Dandeneau; MES Principal Heather Woodard and Administrator Holly Crockett; Residents/Property Owners Kathy Koziell, Jay Buckley, Nick Borelli, Dirk Landis, Shawn Bergeron

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 Lord, seconded by J. Shackford to approve the minutes from September 21, 2021 as written. The motion passed **3-0**.

APPROVAL OF MANIFEST:

Motion by J. Shackford, seconded by Mauro to approve the Manifest of October 3 - 8, 2021 in the amount of \$108,952.81. The manifest breakdown is as follows: \$69,024.26 for Accounts Payable; \$30,856.39 for payroll; and \$9,072.16 for payroll liabilities. The motion passed 3-0.

PUBLIC COMMENTS: Lord was pleased to see several members of the public in attendance; offering the floor to John Arruda. Arruda wanted to dispel any negative comments of waiting an unreasonable amount of time to dispose of trash at the Transfer Station. Wait times are an average of 2 ½ minutes but rarely as long as 5 minutes. Arruda asked for patron’s patience and thanked those that are already understanding.

DISCUSSION ITEMS/NEW BUSINESS:

Path from School to Burke Field – Principal Woodard and Assistant Crockett were in attendance for discussion. The concern for the safety of student walking from the school to Burke Field through the Highway Department garage was discussed at the Board’s last meeting. There is more use of the building by large vehicles with heavy plows and equipment. It was suggested that maybe the creation of a path/bridge behind the building that goes over the brook may be a safer path.

Principal Woodard stated that she has been principal for eight years and asked why is this an issue now. There are several reasons that the parking lot is used by the school that include an emergency evacuation area and parking for teachers.

Cyr stressed that this was brought up out of concern for the students. There have been incidents of students lagging behind and playing in snowbanks on their way to Burke Field, and we all know this happens because kids are kids. This issue came to light at a Joint Loss Committee meeting with Boyd offering background on the issue.

Principal Woodard said all she heard was that a path is going to be created asking rhetorically, who will plow it, who will sand it? implying that the Town has already made this decision. Lord stated that no one has made a decision, we asked to get together to get your input.

Lord asked who's court this ball is in now. Principal Woodard does not feel that it should be the Joint Loss Committee, she wants a committee that would include her staple groups such as the PE teacher, a classroom teacher and parents before making any decisions. Lord suggested a notification system of asking to use Burke Field so that our department heads are aware that there will be students around, similar to the process of the Town asking for permission to use the gymnasium.

Assistant Crockett feels that building a path is over the top and drastic. The children are supervised by a teacher making the suggestion of using a stop sign as it is more visual; also adding that the town will have to take care of this because our maintenance is already stretched thin.

Cyr feels this need be a longer discussion. The trucks driving through the parking lot are not the only safety concern. Chains that hold up the plows can even be a danger to the drivers.

Lord asked why the teachers park in the garage parking lot instead of behind the building. Assistant Crockett responded that a previous Board gave them permission with Principal Woodard adding that there is not enough parking up back, it can get tight when you include the bus parking.

Lord would like to say that we are being proactive in rectifying this situation because status quo is unacceptable.

Principal Woodard added that creation of a path behind the building will likely create a place for teenagers to do things. Assistant Crockett can see that there is more traffic in both the garage and Burke Field by the school.

Chief King sees the need for immediate vigilance when taking students to the field. King suggested running the school zone lights throughout the day as opposed to just the morning and afternoon.

The suggestion of forming a committee that would include Principal Woodard and Assistant Crockett to come up with an effective solution. Lord suggested parents be included too. Cyr knows the use has increased as of late and we all appear to be outgrowing our space. The teacher vehicles parked in the lot also add to blind spots with Principal Woodard stating she could ask her staff to use the back lot.

Arruda offered history that 10 or more years ago there was talk of a path in the back and it was found that it was not in the best interest of all and instead Resident Fred Ham donated the culvert that was installed in the current path.

Lord listed several parts that should be addressed in rectifying this situation, they include parking, lighting, maintenance, direction and location.

Chief King volunteered to get together a committee along with Cyr to address the concerns that were discussed tonight. Once formed it can be decided who will lead it. All were in agreement.

Enforcement Request to Prohibit STRs in VDOE by Borelli – Lord began discussion with what he called a short version of the seven-page legal opinion Resident Nick Borelli submitted to the Board. The

version is that short-term rentals are prohibited in Eidelweiss and the Board should ensure that the rules are being followed.

Borelli stated that laws are in place for Madison already and they state that this Board has the right to stop it because it is a business, equating this to expecting permission from the Planning Board to build a motel, which wouldn't be allowed. Borelli's opinion is that the laws are in place and a business in a residential zone is not allowed without permission of this Board; adding the cost of these businesses places puts to large of a cost on our infrastructure.

Resident Kathy Koziell added that the most important part of this legal opinion is the it states immediate steps for enforcement need to be taken.

Lord asked about the possibility of a petition warrant article submission. Koziell stated yes, there are plans to submit a petition warrant article asking for the zoning ordinance to be enforced.

Property owner Dirk Landis can see the issue and is a fan of going after the problem, not the people. Landis stated that an RSA dictates you must have 4 or more rental units before it is a business. Earlier today Chief King asked him if he has an STR and Landis responded to King with maybe, I think, because he has had an agreement for ages with someone that rents the house for a month every summer and one that rents it for a couple of weeks. Does your child coming home from college for the summer and using the home constitute an STR or doing a property swap? Koziell would like to see a definition created with Landis agreeing especially if the Board will be asking voters if it is something that they want to be allowed.

Shawn Bergeron feels that the Town's Zoning Ordinance has no method to go after STRs because there is nothing in the ordinance that will help the Town citing other towns that lost cases and they had more teeth in their ordinance than Madison does.

Mauro doesn't want to get too deep into creating ordinances without finding out how the voters feel. J. Shackford feels that even if the Town voted no to STRs we would still have to at least have a definition adding that in his opinion when the residents vote they are not going to be in favor.

Jay Buckley would like to see a definition that differentiates short-term from long-term renters adding that he is not sure that banning them will solve the problem.

Lord stated that this was great discussion but we are not going to solve this tonight and thanked everyone for attending and their contributions. Lord would like to have Town Counsel review this opinion.

Snowmobile Trail Permission with SOS for Map 134 Lots 15 & 25 – The Board signed permission for the Scrub Oak Scramblers Snowmobile Club to have trails on two pieces of Town property. Parcels #015 and #016 on Map 134 were offered for a term of five years. The Board agreed and Lord signed the forms.

Lighting at Historical Society – Lord presented a quote for lighting improvements at the Historical Society. Lord cited the beautiful displays and exhibits that are produced each year and the benefits to having them better lit for the enjoyment of the public. Lord also noted, from experience, that a 16' step

ladder barely enables someone to change the bulbs. The quote was for \$3,700.00 with improvements to Town building traditionally coming from the General Government Buildings budget.

Motion by Lord, seconded by Mauro to approve the expenditure for lighting improvements at the Historical Society. The motion passed **3-0**.

Appointment of Lord and Cronin to the Carroll County Broadband Committee – Lord gave a brief explanation of the committee’s purpose in expanding internet access within the county. Re-appointment of Madison’s representatives, Bill Lord and Mary Cronin, was requested by the Broadband Committee.

Motion by Shackford, seconded by Mauro to appoint Bill Lord and Mary Cronin to the Carroll County Communications District Planning Committee effective October 9, 2021. The motion passed **3-0**.

OLD BUSINESS: There were none.

Selectman Shackford’s List – No items

Selectman Mauro’s List – No items

Selectman Lord’s List – Lord

Selectman Lord’s List - Lord began discussion noting the deadline for removal of unauthorized boats has passed. King and Cyr will get together and clean them up this week and next week. Lord also brought up:

- That we can get the audio/video scheduled for installation in the Town Hall with ARPA funds being an option for payment;
- Silver Lake is at 3.8 and not at its lowest point yet. Cyr stated he has been taking boards out and expects it to be done next week;
- Lord asked Cyr if the stairs for the historical society property have been obtained. Cyr has not had his call to the distributor returned and will call again tomorrow;
- Lord asked King for an update on the radios and repeater location on tower. King stated radios have been ordered but are still waiting for delivery, once received Belcher at OME will set up date to program them. The VDOE Commissioners want specifics about the tower repeater location and King will work with Belcher on that too;
- The progress of distinguishing the property line at the corner of Route 41 and East Shore Drive was questioned. Cyr know the pin is in the road but without a metal detector has been having a difficult time. Bergeron offered the use of his metal detector which was happily accepted by Cyr.

Administrator’s List – L. Shackford offered a calendar that showed Selectmen and Advisory Budget Committee meetings for October through January. The Public Budget Hearing needs to be scheduled with L. Shackford noting the dates of February 1st -11th as statutorily available dates. The Board agreed to hold it on Tuesday, February 8th at 7:00 pm. L. Shackford updated the Board on the status of the tax rate setting explaining that we are waiting on the Town’s MS-535, VDOE’s MS-535 and appropriations from the county. Once those are all submitted to the portal L. Shackford will be able to ask DRA for a review.

Department Heads’ List:

Chief King:

- King asked the Board to think about considering ordering two cruisers in 2022 as the New England regional representative for GM expects the chip crisis to extend to 2023.

- Maverick and Officer Mosher are going fantastic with their certification date scheduled for October 27th.

Director Cyr:

- Cyr found that the brush mower head on the excavator is useful for grinding glass at the Transfer Station. This project done in about two hours was of considerable savings in comparison to hiring a company to do it.
- The guard shack/attendant booth at the Transfer Station is coming along with electrical and signage next on the list towards completion.
- Cyr is looking into a dealer for a hydro-seeder to help with erosion control. He hopes to have more information at the next meeting.
- The DPW has been doing high limbing and brush cutting around town. Some areas that had culverts lined in stone back in 2007 are impossible to clean to allow storm water to flow properly. Cyr has found an attachment for the excavator, an Engcon SWD60 – 3LS sweeper that will clean them similarly to a giant dustpan and broom. Lord sees that this is something that can be funded by ARPA grant money based upon the mitigation of storm water.

Motion by Lord, seconded by J. Shackford to purchase the Engcon SWD60 – 3LS sweeper for the purpose of storm water management. The motion passed **3-0**.

SIGNATURE ITEMS

Manifest

Payroll & Accounts Payable Checks

Confirmatory Selectmen’s Deed – Richard & Kathleen Parsons

Purchase Requisition: 2021-FIRE-004GW Brooks & Sons, Inc \$825.00

2021-MADTV-001 Dell Computer \$3,846.96

Veteran’s Credit Applications: Lee 221-028

Lee 221-028

Intent to Cut: Hubbell 203-019 & 203-001

Wetland Permit-by-Notification for Boat Launch Repair

6:00 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

6:40 PM – Lord made a **motion** to return to public session and seal two sets of minutes under RSA 91-A:3II (a) seconded by J. Shackford and so voted **3-0**.

6:40 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 October 19, 2021 commencing at 4:30 pm in the lower level of Town Hall.

Respectfully Submitted,

Linda Shackford,
Town Administrator