

**BOARD OF SELECTMEN
TOWN OF MADISON
March 22, 2022
MINUTES**

Selectmen Present –Josh L. Shackford, Michael A. Mauro, John Arruda

Others Present – Chief Robert J. King, Jr.; Officers Mike Mosher and Jake Martin; TC/TC Fire Chief Michael Brooks; Town Administrator Linda Shackford; DPW Director Jon Cyr; Residents/Taxpayers/others Cailee Bergeron, Marc Ohlson, Jay Buckley, Adam Price, Nick Borelli, Paul McKenna, Daymond Steer, Bill Dempster and others; MadTV Videographer Aysia Morency

Where and When Posted – Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 23, 2021.

Meeting Called to Order – By J. Shackford at 4:30 pm.

APPROVAL OF MINUTES:

Motion by Mauro, seconded J. Shackford by to approve the minutes of the March 8, 2022 as written. The motion passed.

APPROVAL OF MANIFEST:

Motion by Mauro, seconded by Arruda to approve the Manifest of March 21-28, 2022 in the amount of \$496,052.13. The manifest breakdown is as follows: \$34,031.09 for Accounts Payable; \$30,704.24 for payroll; \$10,024.06 for payroll liabilities; \$21,292.74 for NH Retirement; and, \$400,000 for MES. The motion passed **3-0**.

PUBLIC COMMENTS: There were none

DISCUSSION ITEMS/NEW BUSINESS:

Vote to Indemnify the Board of Selectmen per RSA 31:105:

Motion by J. Shackford, seconded by Mauro to indemnify the Board of Selectmen as they presently sit per RSA 31:105 Indemnification for Damages – A city, town, county, village district or precinct, school district, chartered public school, school administrative unit, or any other municipal corporation or political subdivision may by a vote of the governing body indemnify and save harmless for loss or damage occurring after said vote any person employed by it and any member or officer of its governing board, administrative staff or agencies including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officers, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office. The motion passed **3-0**.

Appointments to Boards and Committees:

The Board reviewed the list of vacancies for the 2022 year and decided as follows who will be on each board or committee:

Planning Board – Josh Shackford

Conservation Commission – Mike Mauro

Joint Loss Committee – John Arruda
Municipal Records Committee – Mike Mauro
Aging Committee – John Arruda
Broadband Communications Committee – Bill Lord
Advisory Budget Committee – John Arruda

J. Shackford noted that the police liaison and DPW liaison appointments were not deemed necessary as these department heads are in attendance at each Selectman’s meeting.

Ledge Pond Road Determination:

J. Shackford reiterated discussion with Curtis Coleman from a few months ago regarding the status of Ledge Pond Road as a Class VI road or a private road. The Board was of the agreement that based upon the information submitted from Coleman’s attorney, Ledge Pond Road was a private road and agreed to memorialize that decision. The attorney for Coleman submitted to the Board’s attorney a Release Deed that would deed the road to Coleman. It was the opinion of legal counsel not to sign the release deed and instead memorialize the decision with a letter and by changing the tax maps. It was decided that this item would be tabled until the next meeting pending clarification.

Request for an STR Planning Board Sub-Committee:

J. Shackford read aloud a letter received asking for a sub-committee to be formed regarding STRs:

“Dear Madison Town Leaders and Board Members,
Over the past year, there has been an enormous amount of talk, action, and division over the Short Term Rental (“STR”) topic in the Town of Madison. It is clear the time has come to bring all sides together to have discussions that are meaningful and productive with the goal of finding a solution that works for all. Everyone seems to agree that STR regulations are needed, and we welcome the discussion.

Please let this letter serve as a formal request for the Madison Planning Board to form a sub-committee composed of town officials, residents, planners, and taxpayers from all points of view. The goal is to work together and engage in healthy public conversations about forming sensible STR regulations that work for all. The output would be suggested and agreed-upon regulations, followed by easy-to-understand ballot questions, town communications, and press releases to properly inform voters.

Much time has been taken away from town issues that need your board’s further attention. A sub-committee would be able to separate out the STR discussion and allow each board to focus on new and important town business as it arises.

We are and have always been willing to work on a compromise, but this takes all of us coming together and listening to each other, instead of creating the “us” versus “them” division and engaging in social media wars. As a town, individuals, residents, board members, and second homeowners, let’s work together to lead and become a model that other communities can follow.”

Signed by Todd McCartney, David Lucas, Cailee Bergeron, Renee Herendeen and Glen Brassalmo.

Paul McKenna interjected with that in general there are already existing ordinances that do not allow STRs in Town. Nick Borelli added that the Conway court case and SB249 should be decided before any action is taken. Daymond Steer asked if the Board will have a legal opinion on how the passing of Article 6 will impact STRs. J. Shackford responded no.

The Board passed this request for a sub-committee on to the Planning Board.

Adam Price Discussion - Re-Creating Rec Program:

Price approached the Board beginning with that he was the voter that initiated the \$20,000 request at Town Meeting for the reinstatement of the Parks and Rec Committee. Price was here to night to ask the Board to get that going.

Arruda reminded all that at one point the P&R Committee was managed by the Town then it was taken over by the school and has since become defunct. Arruda listed some items to take into consideration during the committee formation:

- A committee of 3-5 people;
- Create a plan that includes goals of the committee in writing;
- Consider fees, parental releases and background checks;
- Will this be year-round or seasonal.

Price stated that he will be willing to be on the committee and has received an offer of help from Karl Nordlund. Arruda offered his assistance with the committee too.

Mauro asked if joining in with any other local towns has been considered. Price stated that Tamworth did not show much interest and he would like to reach out the Freedom. King was of the opinion that a study committee is worthy of creation with him volunteering to approach the Freedom Selectmen about their possible participation.

Cyr hoped that the funds for this committee could be separated from the DPW operating budget in the future, simply for clarity reasons.

OLD BUSINESS: There was none

Selectman Shackford's List – J. Shackford asked if anyone has an in with someone that can assist in finding out the best course of action to rejuvenating the ballfields. King offered to get soil samples off to UNH Co-operative as a start. J. Shackford noted that there are funds available in an established ballfield account already.

Selectman Mauro's List – Since much of the snow has finally melted Mauro asked about the path between the school and ballfield. Cyr plans to do a draw out the area and get the permitting process finalized. Mauro noted that the enormity of the dangers of the students passing through the DPW parking lot outweighs any negative opinions of the project and it will move forward.

Selectman Arruda's List – Being a Transfer Station attendant, Arruda made a plea to everyone to recycle their glass. Arruda hears a lot of glass being thrown into the compactors, this adds weight that the Town pays to dispose of. Please separate your glass and place it in the glass recycling section of the station.

Administrator's List – No items

Department Heads' List:

Chief Brooks – The refurbishment of the rescue truck is coming along with the body mounted on the chassis with the fabrication for the winch finished. The delivery date is estimated for May 2022.

Chief King – A cruiser has been found that will be available for delivery in a couple of weeks that with the outfitting will come in just under budget. The old cruiser is still at McDonald Motors with an undetermined time frame for service. King is looking for an outlet to use that will dispose of old equipment for his department.

Director Cyr – Starting with the good news that Madison was not on WMURs list of Town with muddy roads moving on to the incident on Pound Road during the last ice storm involving the 2015 Kenworth. Thankfully no one was hurt but the truck was totaled by the insurance company. The truck needs to be replaced but it is hard to find them. Cyr will be doing some research.

Tax Collector Brooks – The Town is at just under 99% of taxes collected for 2021 which should keep us in the historical position of not having to borrow any funds. Brooks added that the lien amount for 2021 is about \$1,000 less than that of 2020.

SIGNATURE ITEMS:

Manifest

Payroll & Accounts Payable Checks

Purchase Requisition 2022-POLI-001: Liberty Chevrolet \$44,376.65

Oath of Office: George Rau, ZBA Alternate

Ted Kramer, MWV Economic Council

David Stevens, Alternate Library Trustee

Mary Holmes, Alternate Library Trustee

Elizabeth Reid-Fernandes, Alternate Library Trustee

Marc Ohlson, Conservation Commission

Emily Bass, Conservation Commission

Noreen Downs, Conservation Commission

NHDES 2021 Annual Post-Closure Report Submitted by Stantec

- Arruda noted a couple of typos the L. Shackford will ask to be corrected:
 - Page 4 Section 5 – change moved to mowed; and
 - Page 5 Section 7 – change 20222 to 2022

Private Road Agreement: 232-003 Ferry

Avitar Internet Kiosk Map Software Agreement

2022 MS-232 Report of Appropriations Actually Voted

5:12 PM – J. Shackford made a **motion** to go into **Non-Public Session per 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: Arruda – aye; Mauro – aye; J. Shackford – aye

5:27 PM – Mauro made a **motion** to return to public session and seal the minutes under RSA 91-A:3II (a) seconded by J. Shackford and so voted **3-0**.

5:27 PM – Mauro made a **motion** to adjourn, seconded by J. Shackford, and so voted **3-0**.

NEXT SELECTMEN’S MEETING – The next Selectmen’s Meeting is scheduled for April 5, 2022 commencing at 4:30 pm at the Madison Town Hall meeting room.

Respectfully Submitted,

Linda Shackford,
Town Administrator