

**BOARD OF SELECTMEN  
TOWN OF MADISON  
January 24, 2023  
MINUTES**

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

**Others Present** – TC/TC Fire Chief Michael Brooks; Town Administrator Linda Shackford; Chief Robert King, Jr.; Foreman Justin Chick; Rec Program Adam Price; Resident Joy Gray; Conservation Commission Co-Chair Marcia McKenna; Resident Shawn Bergeron, Nick Borelli, Paul McKenna, Dave Cribbie, Sean Pinard, Michael Veilleux, Donna Veilleux; MadTV Videographers Aysia Morency and Amanda Hayford; members of the public

**Where and When Posted** – Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 20, 2022.

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

**Pledge of Allegiance:** J. Shackford led all in attendance in reciting the Pledge.

**APPROVAL OF MINUTES:**

**Motion** by Mauro, seconded by Arruda to approve the minutes of January 10, 2023 as written. The motion passed **3-0**.

**Motion** by Mauro, seconded by Arruda to approve the non-public minutes of January 10, 2023 made public as written. The motion passed **3-0**.

**APPROVAL OF MANIFESTS:**

Motion by Mauro, seconded by Arruda to approve the Manifest of January 23 – 30, 2023 in the amount of \$401,621.35. The manifest breakdown is as follows: \$135,722.16 for accounts payable; \$33,832.50 for payroll; \$10,430.40 for payroll liabilities; \$21,636.29 for NHRS; and \$200,000 for MES. The motion passed **3-0**.

**PUBLIC COMMENTS:**

*Bill Dempster* of 157 Doe Drive informed the Board that his research has found that 32 STRs have begun operation since March 2022. These 32 STRs are zoning violations. Dempster hopes the Board will keep funds in the legal budget to be able to address these violations.

**DISCUSSION ITEMS/NEW BUSINESS:**

**Moose Lodge Heating Fuel Donation** – This was tabled awaiting the Lodge representative.

**Spectrum Cable Contract** – Doug McAllister, an expected attendee, wanted to ask the Board to move forward with bringing legal counsel into the cable contract negotiations. The Board reiterated the discussion on November 30<sup>th</sup> where the Board agreed that if we did not get a response from John Maher of Spectrum by the end of the year, we would ask Attorney Johnston to step in. The Board was still in agreement with that action.

**Conservation Commission Request for Warrant Articles** – Marcia McKenna approached the Board as Co-Chair of the Conservation Commission to ask the Board to put up two warrant articles.

The first is to ask for \$10,000 from the Forest Maintenance Account to made available for the Commission's use. Arruda asked the reasoning for the \$10,000. McKenna explained that over the last three years the Commission has used an average of \$4,300 a year to maintain the Town's forests and, anticipation of legal fees regarding the potential update to the McNair easement would be included in that sum. McKenna also stated that using these funds will not necessitate in increase to the Commission operating budget. McKenna asked for procedures on the use of the funds. McKenna was told that other than following the purchasing policy, the Board would have to check on that procedure.

McKenna also asked that the Board consider combining two accounts. McKenna asked that the Board take the funds from the conservation account and add it to the Capital Reserve account and close the conservation account. This would help to streamline the conservation accounts.

Arruda was in favor of the requests noting that neither request have an impact on the budget.

**Motion** by J. Shackford, seconded by Mauro to add the two requested articles to the warrant. The motion passed **3-0**.

**Veilleux - Lead Mine Road from Black Brook Intersection to Cooks Pond Turnaround** – Mike Veilleux asked the Board to consider putting an article on the warrant that would remove the designation of Highway to Summer Cottages (HSC) from a portion of Lead Mine Road that is from Black Brook Intersection to the Cooks Pond turnaround thus eliminating the conflict with the court ordered settlement. M. Veilleux read aloud RSA 231:79. M. Veilleux feels this is a housekeeping issue and will have no impact on the dual use of the road. This was put on previously as a warrant article but was voted down because he feels the voters did not understand it.

Mauro stated that this was on the 2015 warrant and voted down by the voters. Mauro asked why the Veilleux's are asking for this again. M. Veilleux reiterated that he feels it wasn't understood by the voters and asked that the Board agree to remove the HSC designation and have the Selectmen explain it to the voters and just clear this up by sponsoring it.

J. Shackford would like to do more research before making such an agreement. Donna Veilleux offered to answer any questions. J. Shackford responded he'd like to refresh his memory. D. Veilleux feels the RSA and the facts on the ground are in conflict with not HSC by default but because of the agreement. D. Veilleux asked the Board to tell her reasons why the Board wouldn't support this article. Mauro responded that the Board had to sponsored this article in 2015 and did that.

Bergeron suggested that the Veilleux's put together a petition, with D. Veilleux stating they could agree do that and asked that the Board share their knowledge with her. J. Shackford stated sure, but their decision will be at the next meeting on February 7<sup>th</sup> which is the deadline for petition warrant articles. M. Veilleux stated his concern that someone's attorney could come after the Town regarding snowmachines.

This issue will be sent to Attorney Johnston for review.

D. Veilleux asked J. Shackford for his reason or not supporting this. J. Shackford responded he has his reasons and will do more research.

**Review of Proposed 2023 Budget and Warrant Articles** – Arruda began discussion of the 2023 budget by noting that there is an overall increase of approximately \$188,000 equaling 5.8% over 2022. Arruda asked the Board to consider taking funds from the legal line in the budget and putting it into a warrant article to create an ETF citing the idea came from Brooks and with the support of the Advisory Budget Committee. This would be set up to be used for STR litigation only. The Board was in agreement that \$80,000 will be taken from the Legal line of the operating budget and used to create an STR ETF.

Arruda, citing no changes to the Zoning Ordinance being proposed for 2023, suggested that the Planning Board's legal line be decreased from \$10,000 to \$5,000. Cribbie suggested not to make this change citing a case that the funds may be need by the Planning Board. The Board agreed to leave the line alone.

The Board reviewed warrant articles with the following discussion:

**Paving:** Arruda asked Chick which roads he plans to chipseal once the paving of a portion of East Madison and Pounds Roads is complete. Chick responded he intends to do the roads that were paved in 2022 located off Route 41.

**Dam:** Bergeron received an opinion from the State that the dam isn't ready to fail so dividing the project up over a few years is an option. Bergeron suggested \$30,000 to be put away for the engineering and an RFP to preserve what is there, if practical. Discussion of repair of the bridge over the dam was made with Bergeron suggesting \$8,000 for repairs to the hand rails and the right-hand end of the bridge. It was agreed these will be placed as two separate articles on the warrant.

**Ballfield:** Discussion of what it will take to rehabilitate the upper ballfield brought to light the horrendous state of the soil and the need for thousands of years of loam. Brooks suggested asking for \$50,000 to be added to the established ballfield account that would be non-lapsing. This would give close to \$63,000 to work with. The Board was in agreement with that idea and will add the article.

**Scher – Request for Abatement of Interest and Late Fees of Taxes** – Scher of 9 Interlaken Circle wrote to the Board via email asking them to consider abating the fees associated with his late tax payment. Arruda stated that he is not in favor of granting abatements for this purpose as it starts a bad precedent. J. Shackford was in agreement with Arruda. Brooks explained that each tax bill calls out any previous delinquent amounts and this particular taxpayer did not call until a delinquent notice was received. The Board asked L. Shackford to inform Scher of the decision to not grant the abatement.

**OLD BUSINESS:** There was none.

**Selectman Arruda's List** – No items.

**Selectman Mauro's List** – Mauro asked if contact has been made with the owner of the new construction on Goe Hill Road regarding the water coming from their driveway into the Town road. Chick said he has spoken with the owner and they have plans to make the changes that Chick was going to suggest to redirect the water.

**Selectman Shackford's List** – The open top container that was ordered is available for pickup. Arruda would like to have Rickers pick up the two old ones at the Transfer Station. The Board was in agreement to have them removed.

J. Shackford mentioned trading an old plow for a used one with SA McLean. This would be an angle plow that we could buy for \$4,500 and trade in one old unused plow. The Board was in agreement and granted Chick permission to do so.

### **Department Heads' Lists**

*Chief King* – The snow storms had his department pretty busy.

*Chief Brooks* – Nothing to report. J. Shackford took the opportunity to thank Brooks for clearing snow at the Fire Station and around Town Hall freeing up the DPW crew. His help was much appreciated.

Donna Veilleux asked for clarification on her request that she will be informed of what legal counsel suggests. J. Shackford responded yes.

*Foreman Chick* – The DPW has been putting in some ridiculous hours with what seems like all the winter hours are happening all at once adding they are in pretty good shape considering.

*Price* – Rec Committee member Dave Baumgartner has requested to be changed from a regular member to an alternate. The Board was in agreement and J. Shackford made a **motion**, seconded by Mauro to appoint Baumgartner as an alternate from a regular member. The motion passed **3-0**.

Price announced a cornhole tournament on February 10<sup>th</sup> with \$20 entrance fee, winner take all.

McKenna asked where the project regarding the drain across from the Silver Lake Post office is at. Arruda stated it is on his list with it being last know that the state was going to do the design and work with the Town being responsible for installing and paying for 30' of sidewalk. Cribbie offered an estimate of \$5-7,000 for the sidewalk. Cribbie said the Planning Board had included it in an opportunity for jurisdictional impact with L. Shackford looking into the status. McKenna asked if this work should be requested by petition with J. Shackford feeling that this project is not to that place yet with the sidewalk being the last step after the State. That kind of project can be funded from General Government Projects. McKenna asked how to find out the status with it being suggested she check with Ted Kramer. Brooks offered to reach out to Mark McConkey to find out where the State is at with the project.

**Administrator's List** – The next Ambulance Meeting is February 6<sup>th</sup> with Mauro offering to attend.

#### **SIGNATURE ITEMS**

Manifest

Payroll & Accounts Payable Checks

Notice of Lien Release 205-030

**5:49 PM Motion** by J. Shackford to enter **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 **Non-Public Session per RSA 91-A:3II (b)** The hiring of any person as a public employee.

Roll call vote: J. Shackford – aye; Mauro – aye; Arruda – aye

**6:10 PM** – J. Shackford made a **motion** to return to public session and make public the of minutes under RSA 91-A:3II (a) and make public the minutes under RSA 91-A:3II (b) seconded by Mauro and so voted **3-0**.

**6:10 PM** – J. Shackford made a **motion** to adjourn, seconded by Mauro, and so voted **3-0**.

**NEXT SELECTMEN'S MEETING** – The next Selectmen's Meeting is scheduled February 7, 2023 commencing at 4:30 pm at the Madison Town Hall meeting room.

Respectfully Submitted,

Linda Shackford,  
Town Administrator