

**BOARD OF SELECTMEN
TOWN OF MADISON
May 2, 2023
MINUTES**

Selectmen Present – Michael A. Mauro, John Arruda and Adam Price

Others Present –Town Administrator Linda Shackford; Town Clerk/Tax Collector/ Fire Chief Michael Brooks; Chief Robert King, Jr.; Officer Jake Martin; Foreman Justin Chick; Librarian Sloane Jarell; Rec Program Joy Gray; MadTV Videographer Kasia Scontsas; 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 Mauro at 4:30 pm.

Pledge of Allegiance: Mauro led all in attendance in reciting the Pledge.

APPROVAL OF MINUTES:

Motion by Arruda, seconded by Price to approve the minutes of April 18, 2023 as written. The motion passed **3-0**.

APPROVAL OF MANIFESTS:

Motion by Arruda, seconded by Price to approve the Manifest of May 1-8, 2023 in the amount of \$270,598.75. The manifest breakdown is as follows: \$28,407.00 for accounts payable; \$32,906.85 for payroll; \$9,284.90 for payroll liabilities; and \$200,000 for MES. The motion passed **3-0**.

PUBLIC HEARING: Mauro opened the public hearing at 4:32 pm in accordance with RSA 41:9-a to discuss and receive input on changes to fees that include fines, facility use fees, recreation program fees and transfer station disposal fees.

Proposed Change: Decrease Brush Disposal Fee at Transfer Station from \$30 to \$10: Arruda supported this change citing his opinion that \$30 is high because we have the ability to burn the brush with \$10 being fair.

Donna Veilleux suggested again having a period every spring where no fee is charged for brush collection at the Transfer Station.

Jesse Shackford stated that \$10 is a more than fair amount and helps to cover the process.

Jay Buckley of 44 Oak Ridge Road feels some fee is appropriate to cover the costs which could, and have, included the fire department.

Proposed Change: Addition of Rec Program Fee of \$5.00 for every ten minutes that a child is picked up late from Summer Camp: Gray noted that this fee is generally waived unless it becomes a problem. Price feels this is reasonable and not something that happens on a regular basis.

Marcia McKenna stated that she is aware from personal experience that it keeps people from taking advantage.

Proposed Change: Addition of Fee for Police Department Multiple Response for Nuisance Calls ranging from \$50 to \$300: King uses this fee as an incentive to homeowners to take care of the problem of a repeated middle of the night call for false alarms and issues with STR disturbances. These night-time calls cost the Town a minimum 3-hours of over-time. There is generally no charge for the first call with incremental increases over the next 30-day window.

Buckley asked if the fee is issued to the homeowner or the disturber. King responded that the owner is notified with the facts and notice of pending violation.

Motion by Arruda, seconded by Price to adopt the fees as listed per RSA 41:9-a:

- Decrease Brush Disposal from \$30 to \$10
- Add a Rec Program fee of \$5.00 for every ten minutes that a child is picked up late from Summer Camp
- Addition of Fee for Police Department Multiple Nuisance Calls Ranging from \$50 to \$300

The motion passed **3-0**. Mauro closed the Public Hearing at 4:45pm.

PUBLIC COMMENTS:

Jesse Shackford of East Madison Road asked if the Board condoned the hauling of glass from the Transfer Station to North Division Road. Arruda was contacted by the DPW Foremen, whose property it went to. It was the least expensive way to dispose of the glass noting a charge of \$72/ton at a landfill facility and hauling charges to Berlin would have equated to thousands of dollars. Jesse Shackford felt it would have been better to have dispose of it in the Town's stump dump; more thought should have been made.

Jesse Shackford feels that there is a huge hole in the DPW and they no longer have direction; the Board is now the DPW director.

Jesse Shackford asked the status of the grader to which Arruda stated it is at CAT for repairs and those repairs are being covered by insurance. There are none to be rented.

Jesse Shackford asked if the Board has toured the Town's recent storm damage and wondered if the repairs will be paid for by the government noting much of the problem came from private driveway culverts and the other portion because not enough attention has been paid. The problem needs to be fixed not appeased.

Donna Veilleux asked the Board to consider posting the draft minutes on the website.

Marcia McKenna began her comments citing minutes from March 22, 2022 where the Board reappointed Marc Ohlson to the Madison Conservation Commission at the end of his term in 2025 he will have served 31 consecutive years. Can you please explain to me why a younger man is allowed 31 years on the Commission and an older woman is deemed ineffective after 22 years.

There are watch dog groups who would not look favorably on this blatant case of discrimination and by not reappointing me to mitigate this discrimination issue you are exposing the Town to actions by these groups what I chose to do or not to do personally does not impact these watchdog groups from taking actions against the Town. The only way to assure that this does not happen is to reappoint me to the Commission. The agencies that I have investigated and spoke to are the Governor's Executive Council, the Governor's Ethics Committee, the Governor's Council on Aging, the ACLU, the Labor Board and Department of Revenue.

Noreen Downs comments that she feels the Conservation Commissions page on the Town's website is maintained well, the minutes are there, the trail brochure is there and there are links to the Commission's forms.

Downs stated that the Master Plan is not on the website. L. Shackford pointed out the it is on the website under the regulations tab.

Downs asked the Board to have the Planning Board update the Master Plan and reinstitute the CIP that hasn't been done since 2018. L. Shackford stated that it has been done and as recently as last year.

Jay Buckley asked if the Board has considered a change in their direction regarding STRs since the Conway case has been announced. Mauro responded they have no comment as they have not spoken to Town Counsel.

DISCUSSION ITEMS/NEW BUSINESS:

2023 P01 Property Tax Warrant – Shackford presented the printed 2023 P01 Property Tax Warrant to the Board. The due date of the bill is July 6, 2023 with a warrant amount of \$4,759,691.00 to be given to Tax Collector Brooks. The Board signed the warrant.

Cable Contract Update – Town Counsel advised that to make changes to the contract it would be necessary to hire an attorney versed in contract law. Arruda would like to have some numbers that could compare the expense of the attorney versus the gain to the Town. McAllister of MadTV has suggested asking for free service to the Town buildings in the new contract. Shackford will reach out to Town Counsel and ask how to go about this. It will be placed on a future agenda.

Scrub Oak Scramblers (SOS) Snowmobile Club – Sean Pinard from the SOS made an offer to the Board to re-paint and seal the Lead Mine Road trail head sign at no charge to the Town. The Board was appreciative of the offer and accepted it.

Ward and Town Hall Timber Cut – Shackford asked for guidance on how to handle the proceeds from the logging job on the Town Hall property. Tim Nolin wrote out an explanation of how the proceeds could be divided. Shackford suggested that the checks be deposited into the general fund then check would be made to the Tax Collector for the timber tax and a check made to the Forest Maintenance Account for the portion of the cut that was on conservation land. The Board was in agreement with this process.

Paving Bids for E Madison/Pound Road Project – Three bids were received for the proposed paving of East Madison Road up on to Pound Road:

All-State - \$196,701.84

Bryant - \$194,540.00

R&D Paving - \$161,243.75

Foreman Chick stated that all three companies have worked with the Town and have all done great work.

Motion by Arruda, seconded by Price to accept the bid from R&D Paving for the East Madison/Pound Road project in the amount of \$161,234.75. The motion passed **3-0**.

OLD BUSINESS: There was none

Selectman Arruda's List – The newest compactor does not have a delivery date yet. This compactor will be for paper, plastic and cardboard. Arruda can see the need for some new signage. Arruda also mentioned:

- The revenue at the Transfer Station is trending above last year showing \$15,546 versus \$12,784. The budget is running tight so far this year.
- Arruda asked all patrons to separate glass as it is very expensive to haul away. Donna Veilleux asked if it gets crushed. King responded yes, but it is expensive and not cost effective citing the last time costing \$10,000. Chick has made the area smaller which will allow the glass to be maintained easier and not get out of control.

- Composting of leaves needs to be addressed and Arruda will reach out and see if he can get some information.

Selectman Price's List – A request has been made by a third party through Price to ask that the basketball courts behind Burke Field be cleared and replace the nets, Chick will get that taken care of. Price also mentioned:

- School Board Chair Curran asked if the BOS would be interested in scheduling two joint meetings throughout the year to keep open a line of communication; these would be held separately from the Board's regularly scheduled meetings. The Board was agreeable to the idea and suggested setting up a meeting and possibly appointing a liaison. Price will get it scheduled.
- The walking bridge looks great. Chick gave credit to Swift for the recent work and noted there is a grade to still be installed.

Selectman Mauro's List – Mauro asked Chick about putting vehicles out to bid. Chick would like to put the Oshkosh out to sealed bid with a reserve and to also put Truck #9 out to sealed bid. It was decided that Truck #9 will be offered to seal bid with the opening at the May 16th meeting; an ad will go in the Conway Daily Sun. Chick would also like to put out on a reserve bid the aluminum truck bed. Chick will gather numbers for the Oshkosh and aluminum bed.

Department Heads' List:

Town Clerk/Tax Collector/Fire Chief/EMD – Brooks will process the 2023 P01 Tax Warrant signed tonight next week when Bonner is back from vacation. Brooks also mentioned:

- He has spoken with Homeland Security and notified them of the significant county wide damage during the recent rain events and asked them to send a representative. If a disaster declaration is made there may be funds available to cover the repairs being made.

Chief King – NH DOT has been working to make improvements to Route 113 caused by water damage and making strides at opening the road to two-way traffic. Brooks added that the fire department assisted DOT in flushing out a culvert. King also mentioned:

- The department has been doing enforcement details for "Join the Click" to check for compliance with children car restraints at the Elementary School.
- The Reach the Beach run is anticipated to happen in September again. Since rules have been put in place for the Madison stretch it has gone smoother over the last few years.

Rec Committee Joy Gray – Gray listed the activities planned for sports and summer camp that included t-ball, softball, adult and family field trips. There are openings for camp counselors and applications are still being accepted.

OHW Brooks – Brooks asked the Boards permission to have OHW Member Candy-Sue Jones erect a fund-raising sign to benefit the future pavilion. The Board was in agreement with the sign.

Foreman Chick – The rain caused a lot of damage to Colby Hill Road with much of the cause from blocked driveway culvers from leaves being raked into the ditch. The DPW crew worked until 8:30pm yesterday to make improvements around Town. The twin culverts on Modoc Hill Road failed and will need serious attention. Chick is pleased with how well his crew has been handling the issues. Chick also mentioned:

- The grader is still at CAT with Chick waiting for a return to his voicemail, Chick has told them the urgency to its return. The insurance company is taking care of the expenses.

Administrator's List – No items.

SIGNATURE ITEMS

Manifest

Payroll & Accounts Payable Checks

Oath of Office – Heidi Lynn Thomas, Rec Comm
Sharon Schilling, ZBA Alternate

Stantec 2023 Transfer Station Water Quality Proposal

6:05 PM Motion by Mauro 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,

Non-Public Session per RSA 91-A:3II (b) The hiring of any person as a public employee, and **Non-Public Session per RSA 91-A:3II (I)** Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call Vote: Price – aye; Arruda – aye; Mauro - aye

6:45 PM – Arruda made a **motion**, seconded by Price to return to public session and so voted **3-0**.

Motion by Price, seconded by Arruda to not seal the minutes of the **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: Price – aye; Arruda – aye; Mauro - aye

Motion by Price, seconded by Arruda to seal the minutes of the **Non-Public Session per RSA 91-A:3II (b)** The hiring of any person as a public employee.

Roll Call Vote: Price – aye; Arruda – aye; Mauro - aye

Motion by Arruda, seconded by price to seal the minutes of the **Non-Public Session per RSA 91-A:3II (I)** Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call Vote: Arruda – aye; Price – aye; Mauro - aye

Motion by Arruda, seconded by Price to adjourn. The motion passed **3-0**. The meeting adjourned at 6:52 pm.

NEXT SELECTMEN’S MEETING – The next Selectmen’s Meeting is scheduled May 16, 2023 commencing at 4:30 pm at the Madison Town Hall meeting room.

Respectfully Submitted,

Linda Shackford,
Town Administrator