

**BOARD OF SELECTMEN
TOWN OF MADISON
January 9, 2024
MINUTES**

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

Where and When Posted – The following non-public session was posted at Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on January 8, 2023.

4:10 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.

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

4:25 PM Motion by Mauro, seconded by Price to return to public session and seal the minutes of **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.

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

Others Present –Town Administrator Linda Shackford; Town Clerk/Tax Collector/ Fire Chief Michael Brooks; Police Chief Robert J. King, Jr.; Lieutenant Jim Hayford; Code Officer Bob Boyd; Rec Director Heather O'Donnell; MadTV Videographer Kasia Scentsas; and members of the public

Where and When Posted – Town Hall upper & lower bulletin boards and Madison & Silver Lake Post Offices on December 27, 2023.

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

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

APPROVAL OF MINUTES:

Motion by Arruda, seconded by Price to approve the minutes of December 26, 2023 as written. The motion passed **3-0**.

Motion by Arruda, seconded by Price to approve the non-public minutes made public of December 26, 2023 as written. The motion passed **3-0**.

APPROVAL OF MANIFESTS:

Motion by Arruda, seconded by Price to approve the Manifest of December 29, 2023 in the amount of \$58,727.39. The manifest breakdown is as follows: \$58,727.39 for accounts payable. The motion passed **3-0**.

Motion by Arruda, seconded by Price to approve the Manifest of January 8-12, 2024 in the amount of \$467,005.81. The manifest breakdown is as follows: \$176,328.15 for accounts payable; \$31,332.42 for payroll; \$9,345.24 for payroll liabilities; and \$250,000 for Madison school. The motion passed **3-0**.

PUBLIC COMMENTS: Paul McKenna asked about what enforcement action the Board will take if the ZBA does not grant a re-hearing of the 10 Barden Place property. The Board will wait to hear the results of the ZBA hearing before answering.

DISCUSSION ITEMS/NEW BUSINESS:

Tre Simpson for Eagle Project at Atkinson Park – Simpson approached the Board with a request to restore Atkinson Park and add a bench. Simpson explained he'd like permission to polish the rod iron fencing, install barriers and lining for the flower beds and clean up fallen branches. The bench replacement would be coordinated with a local contractor with an estimated cost of \$1,000 that Simpson would like to fund raise for.

Arruda asked if there is a project timeline. Simpson responded late spring, early summer of this year. Simpson has connected with the Garden Club regarding the project. Arruda suggested that a letter be written for Simpson to have documenting this meeting with the Board. Shackford will take care of that.

Shawn Bergeron regarding Map 115 Lot 043 – Loralie Gerard, for Bergeron, approached the Board with a request for a client named Ed Davis who owns Map 115 Lot 043. Davis asks to purchase Map 115 Lot 044 from the town to access his landlocked vacant parcel; Davis' parcel does have a right-of-way through the adjacent Sylvester property, Map 115 Lot 040. Gerard explained that any access to the property will require DES wetlands application. The option to use the R-O-W would necessitate going through more wetland than if the property was accessed via the Town owned 115-044. If the Town is willing to sell Map 115 Lot 044, Davis hopes the Town would entertain a Purchase and Sale contingent on acquiring wetland permits from DES; Davis would pay all fees.

Price asked what the intentions are of Davis on the property. Gerard responded Davis has plans for one or two dwelling units for family members adding that the property is very wet, further restricting development.

Arruda would like to see a list from Davis that summarizes what was spoken about and that could be sent to Town Counsel. Price would like to think about the proposal a little longer before making a decision.

Gerard stated a document for the Board will be drafted that contains information for a purchase and sale.

Julie Shields 79-D Adoption Request – Shields of 31 Windcroft Lane, asked the Board to consider the adoption of RSA 79-D. Shields explained that this would provide for a discount on the taxable land value, similarly to current use. This discount would support farming in the Town. The Board would like to consult with Town Counsel on how this works and explained that this would take time; possibly delaying its addition to the warrant by the Board. Price is not against it being on the warrant and Mauro would like more information from Town Counsel.

Arruda suggested and the Board agreed, that to assuredly make the time frame to have the article on the warrant it would be best for Shields to submit it by petition.

2024 Hazard Mitigation Adoption – The plan, that is reviewed and updated every five years, was presented to the Board. It is currently in the queue with FEMA and the State of New Hampshire as Approved Pending Adoption.

Motion by Mauro, seconded by Price to sign the paperwork to approve the Hazard Mitigation 2024 updated plan. The motion passed **3-0**.

Building Code Ordinance Update Review – The Board reviewed the red-lined document for discussion; changes included those suggested by Boyd, Shackford, Sharon Schilling and Nicole Nordlund.

Code Officer Boyd offered his suggestions for changes to the ordinance. Boyd’s biggest suggestion was the addition of mechanical permits as they are not mentioned and he has no enforcement authority without it.

Price has reviewed the change and most look good. Price did question the suggestion of not requiring permits for sheds as it would contradict the Zoning Ordinance; Price thought if this change was to take place it would be something for the Planning Board to take on. Fences are already exempt from building permits. The term “general repairs” suggested for the ordinance to not need a permit is hard to define, it is not black and white.

Boyd concurred with Price that not requiring a permit for a shed could allow it to be built within the setback which is against the Zoning Ordinance. The suggestion made to raise the cost of the project from \$1,000 to \$3,000 before a permit is required was considered. Mauro asked if that would impact the number of permits issued. Boyd stated it would probably lower the number adding that a longer look at the project would be necessary to make the determination at a \$3,000 limit. Other suggested changes included:

- Review of the Ordinance every five years;
- Change the shed square footage price from \$0.25/sq ft to \$0.35/sq ft;
- Make a minimum building permit fee at \$50.00;
- Increase mechanical permit fee from \$30 to \$50 which local research confirmed that is a reasonable fee;
- A fee for final inspection visits after going to the property two times.

The Board asked for more time to study the changes. The topic will be placed on the next meeting’s agenda.

OLD BUSINESS:

ABC Report – Shackford created a report for the Advisory Budget Committee, based on their request, regarding Town employees and wages. The Board was pleased with the report, it will be sent to the Advisory Budget Committee.

2024 Proposed Budget – Shackford created a list with changes to the 2024 proposed operating budget that totaled a decrease of \$90,228 which were as follows:

Changes:			Changed to:	Difference:
Department	Line			
Assessing:	BTLA	\$3,500	\$2,000	-\$1,500

Direct Assistance:	Welfare	\$4,550	\$4,000	-\$550
Executive:	Office Assistant	\$10,000	\$6,000	-\$4,000
	Training	\$1,500	\$1,000	-\$500
Gen Gov Buildings:	Heat	\$22,000	\$20,000	-\$2,000
Personnel Admin:	Dental	\$7,300	\$6,717	-\$583
	Med HRA/FSA	\$8,000	\$6,000	-\$2,000
	Medical Insurance	\$362,152	\$304,645	-\$57,507
	Police Retirement	\$107,000	\$100,188	-\$6,812
Planning Board:	Legal	\$5,000	\$7,000	\$2,000
Police:		\$376,776	\$360,000	-\$16,776
Rec Department:	Wages	\$30,000	\$28,000	-\$2,000

The changes were accepted by the Board and worked into the 2024 proposed operating budget.

2024 Proposed Warrant Articles - Arruda read through the proposed 2024 warrant articles with pertinent discussion listed below:

Solid Waste Truck – The downpayment could be made by trade.

Modoc Hill Road Repair – The culverts have failed, not simply collapsed per Brooks; there needs to be a reasonable solution as repairing in-kind is not the way to go. Price does not feel this can wait to be repaired. A decision needs to be made as to the course of action. The Board decided to have a work meeting on Tuesday, January 16th at 4:30pm to discuss a solution.

Banfield Hollow Acres Road Acceptance Petition – The DPW is going to put together a number that it would cost for maintenance of those roads for the Advisory Budget Committee.

The total amount of the warrant for 2024 is proposed at \$4,013,346 versus 2023 at \$3,841,070.

Selectman Arruda's List – Arruda reported the 2023 revenue at the Transfer Station from tipping fees was \$61,381.00. Recycled metals totals taken in were as follows:

- 12,350 lbs. aluminum
- 1,120 lbs. of batteries
- 169,980 lbs. of light iron
- 6,568 lbs. of steel

Selectman Price's List – No items.

Selectman Mauro's List – Mauro updated the Board regarding the Chain of Ponds property. Grant funding was requested but not granted for the project because of three reasons; not a large enough population to be served, the project is not far enough along and the Town of Madison has not committed its support. The projected date for the transaction is late 2025 to early 2026. There is the necessity of a public hearing prior to spending Conservation money for the purchase of the easement.

Mauro does not see the urgency though he admits he is not privy to the negotiations.

Arruda expressed his concern that there are large expenses that the Town is facing in 2024 that include the dam, the well issue and the Modoc Hill Road repairs.

Price would like to look further into the details before offering an opinion.

Marcia McKenna stated that the Conservation money is not tax money. Mauro stated the Conservation money is from taxes collected by the Land Use Change Tax. McKenna stated that funds towards the easement that were not obtained was due to a lack of support from the Town, hoping that after a public hearing the Board would offer their support. Brooks disagreed with McKenna's statement. Brooks stated that the main crux of the denial of funds was because the project would not serve a large enough population.

The Board agreed to hold a public hearing at their February 6, 2024 meeting regarding this issue.

Administrator's List – The school has asked to increase their bi-weekly payments from \$200,000 to \$250,000 which has been approved by Treasurer Firman. The next Selectmen's meeting on January 23rd will be held at the school during the primary election.

Fleet Manager Swift asked to have passed along that the container purchase encumbered at the last meeting will have to include the shipping as the containers are in New York; the cost increase by \$350.00. also.

Department Heads' List:

Tax Collector/Town Clerk/Fire Chief Brooks- The dry hydrant project at Allegro Pines is functioning and in service. Brooks stated that delinquent notices for 2023 P02 property taxes were sent out today. The required Emergency Operations Plan is now due for updating and has begun now that the Hazard Mitigation Plan is out the door.

Rec Director O'Donnell – O'Donnell reported that basketball is going great, the kids are having a great time. There was an adult Trivia night held that was such a hit there are plans for another in the works. Donations for the Rec Revolving Fund of \$150 were received from the Paint Night Event.

SIGNATURE ITEMS

Manifest
Payroll & Accounts Payable Checks
Confirmatory Deed for Map 116 Lot 041
Health Officer/Deputy Nomination Form

6:02 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, and

Non-Public Session per RSA 91-A:3II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant; 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: Arruda – aye; Price – aye; Mauro – aye

6:20 PM Motion by Mauro, seconded by Price to return to public session and seal the minutes of **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

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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.

The motion passed **3-0**.

Motion by Mauro, seconded by Price to adjourn at 6:20 pm. The motion passed **3-0**.

NEXT SELECTMEN’S MEETING – The next Selectmen’s Meeting is scheduled for January 23, 2024 commencing at 4:30 pm at the Madison Elementary School.

Respectfully Submitted,

Linda Shackford,
Town Administrator