

**BOARD OF SELECTMEN
TOWN OF MADISON
February 6, 2024
MINUTES**

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

Others Present –Town Administrator Linda Shackford; Fire Chief/Town Clerk/Tax Collector Michael Brooks; Police Chief Robert King Jr; DPW Director Josh Shackford; DPW Dave Swift; Code Officer Bob Boyd; MadTV Videographer Carol Dandeneau

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 January 23, 2024 as written. The motion passed **3-0**.

Motion by Arruda, seconded by Price to approve the minutes of January 25, 2024 as written. The motion passed **3-0**.

APPROVAL OF MANIFESTS:

Motion by Arruda, seconded by Price to approve the Manifest of February 5-12, 2024 in the amount of \$341,315.63. The manifest breakdown is as follows: \$49,689.60 for accounts payable; \$31,812.41 for payroll; \$9,823.62 for payroll liabilities; and \$250,000 for Madison school. The motion passed **3-0**.

PUBLIC COMMENTS: There were none.

DISCUSSION ITEMS/NEW BUSINESS:

Town Meeting Rules of Procedure – Moderator Epstein, via email, informed the Board that the Town Meeting Rules of Procedure is a document that belongs to the Moderator. He was informed of the change made by the Selectmen regarding how amendments to operating budget article amounts would be handled. Epstein offered to talk with the Board regarding their desire to make a change. The Board asked Shackford to invite Epstein to their next meeting.

Railway Letter of Support for HB 1468-FN-A – The Board has been asked to join in the support of House Bill 1468 that would require the NH DOT to develop a Master Plan for the abandoned railroad tracks. Price was approached by Representative Mark McConkey asking for support and the Board was also asked by the Town of Ossipee. Price feels residents are losing out on a good recreation opportunity with Mauro wanting to see them be used. The Board agreed to sign a letter of support for HB 1468.

Schedule Public Hearing per RSA 41:8-c – The Town received a petition warrant article on February 1, 2024 to increase the number of Selectmen to five. Per RSA 41:8-c the Selectmen must decide, within ten days of receipt of the petition, on a date to hold a public hearing with the hearing being no later than the Thursday before Town Meeting. Shackford suggested February 20th, 2024 noting that there are already two hearings scheduled for the meeting; to take discussion on the Budget Ordinance amendment and, to change and add fees. Shackford will post accordingly for a public hearing at 4:50pm on Tuesday, February 20, 2024.

Request by Ron Force to be Appointed to the VSC – Ron Force has asked to be appointed to the Veterans Service Committee. VSC Chair Schilling asked that Force be appointed as a regular member being of the understanding there is an opening because her understanding was that Gary Bent is an alternate. The Clerk's copy of the oath shows Bent as a regular member. Shackford spoke with Bent today and due to his scheduling conflicts and other commitments, he has not been able to give the time he had hoped to the committee and offered his position up to Force, resigning from the Committee. Price asked if Bent's resignation has been received in writing to which Shackford stated, no, it was verbal but she will ask for a written resignation from Bent.

Motion by Mauro, seconded by Arruda to appoint Ron Force as a regular member of the Veterans Services Committee filling the remainder of Bent's term to 2026. The motion passed **3-0**.

OLD BUSINESS:

Short-Term Rental – Mauro, in response to questions raised at the January 23, 2024 meeting, stated that Mr. Gage has 30 days from the date of the written decision -January 12, 2024- to appeal the denial of his Appeal of Administrative Decision from the ZBA to either NH Superior Court or the NH Housing Appeals Board.

If no action is taken by Mr. Gage in response to the ZBA's denial, a letter from our Code Officer will be sent fining him \$275/day since January 12th, or the Board has the option to send the issue directly to the court.

Nick Borelli feels the simple solution to getting rid of STRs is to require tax records that show the property was an STR prior to 1987 and proof of room and meals tax. The Town's zoning ordinance is stronger than any other town in the area.

Paul McKenna submitted to the Board a list of topics. McKenna asked what the Board will do with the list of eleven new STRs presented to them at the last meeting. Mauro responded that they would like to get something before the court and receive a ruling before sending more letters. Arruda noted that there are 13 cases backed up at the ZBA and he hesitates to add to it, so they are on hold for now.

Price implored McKenna to submit documents ahead of the meeting to Shackford as he has not had any time to review the topics; Price is not comfortable answering without having time to think about it. Price stated he will not be answering his questions and suggested to the other members to not answer.

McKenna asked for several actions to take place. He asked that a letter of information be sent to his neighbor at 3 Upper Lakeview Drive stating it has lost its non-conforming use; appoint a

selectman to spearhead the STR issue; add STRs back on the agenda regularly; establish a plan for all boards to follow regarding STRs; and, establish a tracking committee.

Mauro stated establishing a point person it is a possibility, and if it happened it wouldn't happen until after Town Meeting, when there could be a new Board.

Building Permit Ordinance – The Board continued their review of proposed changes to the Building Permit Ordinance that centered around removing the definition of substantial improvement.

Boyd submitted his list of thoughts, mostly safety concerns that he had. They included egress windows, smoke detectors, septic upgrades, and electrical requirements that may not be done if no permit is required as there will be no inspection. Boyd also mentioned is that some improvements impact the assessment and the building permit system alerts the assessor of the changes. Painting and replacing of carpet currently do not require a permit with Boyd suggesting to add repairing water damaged areas would not need a permit.

Price understands Boyd's concerns if the definition is removed with some being serious and some simply government babysitting. Arruda agrees about the safety issues and has first-hand knowledge of electrical issues because his home was wired by the previous homeowner, not an electrician.

Price suggested keeping the definition of substantial improvement with an increase of the threshold for a permit raised from \$1,000 to \$5,000. Boyd offered his opinion on the \$5,000 threshold that it may be more difficult to determine but ultimately, he is most concerned over the safety issues.

This will be finalized at the February 20th meeting with the Board agreeing to think on the increase to \$5,000 and bring back to the next meeting a short list of exceptions.

Review of 2024 Warrant – Shackford asked specifically for Article 8 to be discussed regarding the new trash truck. Lease information was presented in 5 and 7-year options. The Board agreed to a 5-year lease which will be incorporated in to the warrant article language.

Arruda read aloud the proposed budget for Articles 4, 5 and 6 for 2024 noting the percentage increase or decrease of each line.

The Board reviewed detail of Article 7 regarding the annual paving of Town roads that included:

- *Reclaim, Fine Grade & Compact with water approximately 1 mile of Mooney Hill Rd; then repave same with ¾" winter binder. **\$200,000**
- *Replace 5 culverts on Mooney Hill Road. **\$9,000**
- *Repave sections of washed-out pavement from last summer's storms on Allard Hill Road and East Madison Road. **\$18,600**
- *Shoulder all above roads. **\$12,000**
- *Crushing Gravel for above roads. **\$11,000**

The Board reviewed information on Article 9 which is the repair of Modoc Hill Road: Alvin J Coleman & Son, Inc. offered numbers on replacing the culverts:

- 2 each 48"x60' long corrugated metal culverts, supplied, installed and restored with a boulder headwall system. \$45,000 total lump sum price.

- 72"x60' long corrugated metal culvert, supplied, installed and restored with a boulder headwall system. \$40,000 total lump sum price.

We have a price for a bridge from Burnham Company for the sum of \$494,553.

We have a price on a box culvert from GW Brooks and Son Inc. for the sum of \$639,983.

We are awaiting quotes to match Alvin J Coleman and Sons quote from Rotten Rock Hardscaping & Excavation LLC, NR Howard Construction and Burnham Company.

The Board agreed to place \$40,000 as the amount in Article 9 for the repair of Modoc Hill Road.

No changes were proposed to any other articles and the warrant showed a nominal increase over 2023 at approximately 0.12%.

Selectman Price's List – Price had an offer from the men's softball league. They have offered to volunteer their time to recap the infield. The Board was in favor of taking them up on that offer.

Selectman Arruda's List – Arruda mentioned the social media posts regarding the old school house and the school warrant articles regarding same. Brooks said the school board has had studies performed and added that there is a petition warrant article, that would be advisory to the school board, to surplus the old school house.

Selectman Mauro's List – Mauro spoke favorably about the DPW's handling of the most recent rain/snow storms and the new configuration at the Transfer Station.

Administrator's List – Shackford reminded all that the Public Budget Hearing will be held on Thursday, February 8, 2024 at 7:00 pm at the school.

Department Heads' Lists:

Town Clerk/Tax Collector/Fire Chief Brooks – The ballots are being assembled at the printers for elections; the school prints the ballots for their articles. Brooks cautioned all, in light of the upcoming fishing derby, to be aware of thin ice conditions.

DPW Director Shackford – There are two purchase requisitions in the signature items for the Transfer Station. One is for dumpster covers and the other is for a snow pusher. Swift explained that the dumpster covers will prevent freeze ups and the cost of hauling and paying for ice. Shackford said that TS Attendant Cook comes in early to do snow removal at the Transfer Station during storms and the pusher will be a huge time saver. Shackford also mentioned:

- The new plow truck should be in Town next week;
- The timesheets reflect a short day for the department last Tuesday as they came in to get ready for the storm and then went home in anticipation of returning that evening in an attempt to budget over-time;
- Sanding, pot hole repair and pushing back snowbanks has been done;
- March 5th will have the department at Primex taking a flagger training course;
- The doors at both garages have been serviced;
- The water at the lower garage has caused the pressure washer some problems with Shackford looking into adding a filter.

Arruda asked that the used oil be emptied and find out if a street light can be installed by Eversource at the Transfer Station. Swift offered information that a price of about \$3,700 is the cost of a replacement used oil tank.

Rec Director O'Donnell – Basketball is still going on with the co-ed game being a big hit.

O'Donnell also mentioned:

- Trivia night is February 9th at the Village Store; bring an appetizer and beverage, with a suggested donation of \$5.00 to play;
- March 30th is the Eggstravaganza with a request for donations and volunteers.

Chief King – The Police Department has been busy with storms and compiling statistics for the Town Report. King also spoke to:

- Those statistics included 500+ traffic stops, 50 arrests, 3,500 hours of on call time;
- King will be retiring the end of August after 22 years of service. McKenna asked if Lieutenant Hayford will be elevated to Chief with King responding “that is the plan”.

SIGNATURE ITEMS

Manifest

Payroll & Accounts Payable Checks

Representation Agreement with Attorney Maher

Purchase Requisition: 2024-TTF-001 Allied Equipment LLC \$6,450.00

2024-TTF-002 DumpsterGard \$3,385.00

Motion by Arruda, seconded by Price to adjourn at 6:10 pm. The motion passed **3-0**.

NEXT SELECTMEN'S MEETING – The next Selectmen's Meeting is scheduled for February 20, 2024 commencing at 4:30 pm at Town Hall.

Respectfully Submitted,

Linda Shackford,
Town Administrator