

**BOARD OF SELECTMEN  
TOWN OF MADISON  
February 20, 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 Dave Swift; Code Officer Bob Boyd; Rec Director Heather O’Donnell; 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 5:09 pm following three public hearings.

**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 February 6, 2024 as written. The motion passed **3-0**.

**Motion** by Arruda, seconded by Price to approve the non-public minutes of January 9, 2024 as written. The motion passed **3-0**.

**Motion** by Arruda, seconded by Price to unseal and make public non-public minutes of January 9, 2024. The motion passed **3-0**.

**Motion** by Arruda, seconded by Price to unseal and make public non-public minutes of January 23, 2024. The motion passed **3-0**.

**APPROVAL OF MANIFESTS:**

**Motion** by Arruda, seconded by Price to approve the Manifest of February 20-26, 2024 in the amount of \$347,074.71. The manifest breakdown is as follows: \$37,576.89 for accounts payable; \$32,064.58 for payroll; \$9,742.74 for payroll liabilities; \$17,690.20 for NHRS; and \$250,000 for Madison school. The motion passed **3-0**.

**PUBLIC COMMENTS:** Mauro asked for a show of hands of those that would like to speak. There were none, no comments were made.

**DISCUSSION ITEMS/NEW BUSINESS:**

**Moderator Epstein Regarding Town Meeting Rules of Procedure** – In August of 2023 the Board made a change to the Town Meeting Rules of Procedure. The change added “If you are amending an amount in an operating budget article, the amendment must be specific as to the line and amount to be amended, write the amendment down and hand it to the Moderator. A blanket amount or percentage is not sufficient.” Epstein informed the Board that this document belongs to the Moderator and Epstein is willing to discuss the change but it is not the Selectmen who can make the change.

The Board explained that this action came from a vote at Town Meeting in 2023 where a percentage of Article 2, the general operating budget, was to be removed with no specific lines or amounts suggested. The Board was left to decide which lines to take it from.

Epstein offered history of how these kinds of votes were handled in the past. Ultimately, the Selectmen are running a bottom-line budget and they are not obligated to make a cut from any specific line and the townspeople know it is advisory to the Board. Consistently the Board has followed the will of the voters over the last 38 years even though the Board can do as they see fit. Epstein does not see the logic or legal reason to place that restriction on someone asking to cut an amount; but he will put them on the spot to say where they expect it to come from, but forcing them to do that is not something that we can do.

Mauro thanked Epstein for his time and is looking forward to Town Meeting.

**Shawn Bergeron Dam Update** – Bergeron stated that the engineering firm of MSK Engineering has completed their four-part study. Good news is that the dam should not fail in the immediate future with the bad news being it could cost between \$676,000 - \$858,000 for repairs.

The Board has discussed a bond in 2025 for those repairs with Bergeron suggesting not to push it out any further as the dam is not going to get any better and costs will continue to increase.

The dam is considered a low hazard and should it fail, it would impact the culvert on East Shore Drive, the culvert on Ossipee Lake Road and could flood an area further down but no damage is expected to be caused.

The Board thanked Bergeron for the update. Bergeron stated he will close the book for now regarding the dam and with MSK Engineers until he hears otherwise from the Board.

#### **OLD BUSINESS:**

**Building Permit Ordinance** – The Board review the latest version of Article Two:  
DEFINITIONS D. Substantial Improvement:

**D. Substantial Improvement: Any erection, construction, alteration, reconstruction, or repair of a structure, the value of which exceeds ~~ONE THOUSAND DOLLARS (\$1,000.00)~~ FIVE THOUSAND DOLLARS (\$5,000.00) based upon a contractor's rate and material costs, whether or not the applicant performs the work. Substantial improvement is started when the first alteration, erection, construction, reconstruction or installation of any structural part of the building commences. Repair and/or replacement of pre-existing, non-mechanical, in-kind materials and features, i.e. decking/siding/roofing/drywall, are exempt from this definition provided there is no interior or exterior change to the structure's footprint or floorplan.**

Boyd explained the projects exempt from permits and the reasoning. The \$5,000 threshold will make it easier for the homeowners but a little more difficult for Boyd to estimate the cost said Mauro. Boyd agreed adding it does make sense. The Board was happy with the wording and moving forward to present it at Town Meeting as written.

**Selectman Price's List** – No items

**Selectman Arruda's List** – There are two new containers being delivered to the Transfer Station as back-ups which will help during our busiest times. Arruda asked Shackford if there is any new information regarding STRs to report, Shackford stated there is none.

**Selectman Mauro's List** – No items

**Administrator's List** – Just before the meeting the last invoice for the new plow truck was received and sent off to Tax Exempt Leasing for them to prepare Disbursement #03, but the paperwork was not received back before this meeting. Shackford asked the Board, since there is potential of receiving the truck this week, that the disbursement for a payment to ATG Manchester LLC in the amount of \$82,059.00 be signed out of session.

**Motion** by Mauro, seconded by Arruda to sign Tax Exempt Leasing Disbursement #03 in the amount of \$82,059.00 out of session. The motion passed **3-0**.

### **Department Heads' Lists:**

*Tax Collector/Town Clerk/Fire Chief Brooks* – The ballots have been received for March 12<sup>th</sup> voting and in turn available for voters to obtain their absentee ballots. Brooks also reported:

- The fire department did a training on the lake for ice rescue after a classroom practical, all went well. Brooks hoped next time to borrow the electronic sign from the police to curb curiosity with an announcement that there is training going on, not an emergency;
- Keep in mind that the natural world is dangerous to snowmobilers and hikers with icy conditions on trails; be prepared to survive should your trip go awry.

*DPW Fleet Manager Swift* – Swift gave the department update which included, and was not limited to:

- Improvements at the Transfer Station include covers for the dumpsters preventing the hauling and paying for snow and ice, and steps have been installed on the container and the 12' snow pusher has been helpful;
- The code car will be sent out for the door to be aligned with Swift suggesting to keep in mind that when a cruiser comes available from the Police Department rotation that maybe it should be passed on to Code;
- Truck #6 had a coolant leak fixed at a cost of \$900.00;
- The old white Peterbilt should be picked up soon in anticipation of the delivery of the new plow truck;
- Rubber cutting edges have been installed on the trucks that plow dirt roads and they glide over well without digging into the dirt;
- The crew is trying to keep up with potholes on North Division Road but the spring like conditions are not making it easy; and
- Service was performed to the 920 loader; and the 420 backhoe is in second stage limp mode awaiting its service.

*Chief King* – The drug box has been moved out of the Police Department office and into the hallway for better access any time the building is open. It is under camera surveillance. Please do not put liquid medications in the box.

*Rec Director O'Donnell* – O'Donnell was excited to report that the Winter Fun Days will happen this coming Thursday and Friday with a trip to King Pine for tubing. O'Donnell also reported:

- The basketball teams enjoyed a pizza party thanks to Profile Motors;
- The boys and girls basketball teams are participating in the Carroll County Tournament;
- March 1<sup>st</sup> is teen night – Donuts and Dodgeball – for 6-8<sup>th</sup> graders;

- Trivia night at the store is coming up with a bring your own beverage and appetizer to share;
- Softball, t-ball, pickleball and summer camp plans have begun.

Mauro expressed his appreciation to O'Donnell for all she does.

### **SIGNATURE ITEMS**

Manifest

Payroll & Accounts Payable Checks

MS-636 Proposed Budget

Application for Veterans Credit – 107-027

Oath of Office: Megan Thomson Rec Committee Member

Tax Exempt Leasing: Disbursement 02 \$73,930.00

**5:56 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: Price – aye; Arruda – aye; Mauro – aye

**6:16 PM Motion** by Mauro, seconded by Price to return to public session and make public 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.  
The motion passed **3-0**.

**Motion** by Arruda, seconded by Price to adjourn at 6:16 pm. The motion passed **3-0**.

**NEXT SELECTMEN'S MEETING** – The next Selectmen's Meeting is scheduled for March 5, 2024 commencing at 4:30 pm at Town Hall.

Respectfully Submitted,

Linda Shackford,  
Town Administrator