

**BOARD OF SELECTMEN
TOWN OF MADISON
June 25, 2024
MINUTES**

Selectmen Present – John Arruda, Adam Price, Joy Gray

Others Present –Town Administrator Linda Shackford; Police Chief Robert King Jr; Lieutenant Jim Hayford; DPW Director Josh Shackford; DPW Foreman Justin Chick; DPW Dave Swift; Code Officer Bob Boyd; Rec Director Heather O’Donnell; ABC Members Joe Dame and Rick Judkins; Videographer Carol Dandeneau; 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 Price at 4:30 pm.

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

APPROVAL OF MINUTES:

Motion by Arruda, seconded by Gray to approve the minutes of June 11, 2024 with Gray asking for a correction to the spelling of Cigna and verification that the minutes stating school employees pay 11%, not 13% towards their health insurance premiums is correct. The motion passed **3-0**.

Motion by Gray, seconded by Arruda to approve the minutes of the June 11, 2024 joint meeting of the Selectmen and the School Board as written. The motion passed **2-0-1** with Price abstaining because he was not able to attend the meeting.

Motion by Price, seconded by Gray to approve the non-public minutes of June 11, 2024 made public. The motion passed **3-0**.

Motion by Gray, seconded by Arruda to approve the non-public minutes of June 11, 2024 made public. The motion passed **2-0-1** with Price abstaining because he was not able to attend the meeting.

APPROVAL OF MANIFEST:

Motion by Aruda, seconded by Gray to approve the Manifest of June 24 – July 1, 2024 in the amount of \$282,036.52. The manifest breakdown is as follows: \$60,156.7 for accounts payable; \$35,219.40 for payroll; \$11,084.40 for payroll liabilities; and \$175,576.00 for Madison School. The motion passed **3-0**.

PUBLIC HEARING: Price opened the hearing at 4:34pm to discuss and receive input on the purchase of a new CAT 140 grader which was posted 06/12/2024 at the Upper and Lower Levels of Town Hall, and the Madison and Silver Lake Post Offices; and published in the 06/13/2024 edition of the Conway Daily Sun.

Gray began by thanking Joe Dame for his work on the summaries. Gray feels there are three options that include repair our grader, rent a grader or purchase a grader.

Dame offered a verbal summary of the recent repairs and problems with the 1987 CAT grader that the Town owns. At over 12,000 hours the machine has reached the end of its service life. The Town has the opportunity to purchase a new grader from CAT for \$410,000 which is a good price in Dame's opinion. It includes the municipal discount and has a 7-year 3,500-hour warranty. They have offered us \$32,500 as trade for our 1987 grader with a final review of the machine to still be done.

Bruce Currotto asked if we have employees trained to operate the grader with both Price and J. Shackford stating yes.

Dame explained that this purchase would be made with a non-appropriation in place which means that if Town Meeting does not agree to make the payment at the 2025 meeting, then the grader would be returned leaving the Town without a grader and the responsibility to return the machine to CAT.

Tax Exempt Leasing has offered the Town financing for 7 years at 5.99% on \$377,000 which equates to an annual payment of \$67,599.44.

Price asked for any public comments. Tino Fernandes suggested that it may be more cost effective to rent a grader when necessary, citing there are only 28 miles of dirt roads, and Dame's statement in his summary of the annual cost being \$88,000 with all grader costs and payments combined. How often the grader is used for plowing was asked by Fernandes?

J. Shackford stated the grader is used not for just plowing snow but also for pushing back snow banks which used to be done with the Oshkosh. Price sees the graders use as more in depth that obviously seen. Gray confirmed that the wing assembly will come with the new grader with Price stating yes and it is compatible with the equipment we already own.

Jim Eldridge said there may be an annual cost of \$88,000 but at the end of seven years the Town will own it.

Elwin King noted that it is not just for grading roads. It has uses for plowing and cleaning ditches too.

Gray asked if other grader option were explored; did we look into getting another Cat 120. J. Shackford noted that the one available is a CAT 140 but others have been looked into. Price saw that a John Deere 672, which is comparable, sells for \$500,000. J. Shackford said that the John Deere salesman could not believe the deal we are offered through CAT and said he could not compete.

Arruda explained that if we wait until March Town Meeting this grader will be sold to another of the two town waiting and we will have to wait a long time for another grader to be available.

Rick Judkins feels that if the Town had not been reluctant to put money away to be able to pay a big portion of the cost, we would not be in this position. Gray explained that in 2019 the Town closed the Grader ETF transferring the money into a Highway Heavy Equipment Fund and those funds are spent.

5:05 pm Price closed the public comment section of the hearing.

Arruda feels we should move forward knowing that purchasing a grader next year will not be cheaper.

Gray is struggling because this is not a purchase that has been planned for. We should and need to have a plan that includes all major equipment that goes out several years. We have not checked on all rental options through Burke and Colemans.

Price is on board with moving forward.

Motion by Price, seconded by Arruda to enter into a 7-year lease agreement using the Town's grader and a trade for the first year's payment. The motion passed by roll call vote of Price – aye, Arruda – aye and Gray – aye while still expressing her struggles with the decision.

The hearing ended at 5:13pm.

PUBLIC COMMENTS:

Kathy Koziell of 7 Lakeview Drive was unsettled by Gray's comments that voters did not know what they were doing when they voted on zoning amendments regarding STRs; adding they also voted to put \$80,000 in an ETF to pay for enforcement of the Zoning Ordinance.

Koziell understands that a settlement is being negotiated with the Gage case and that 231 days have passed on the Mederios case. Will the Board have a discussion as to whether the potential \$63,500 in fines will be imposed? Koziell respectfully asked the Board to move forward with going after properties with no rental history to stop momentum.

Nick Borelli asked for STRs to be automatically placed on the Boards agendas. Price does not feel that it is necessary and suggested contacting L. Shackford for a place on the agenda if there is a reason.

Paulette Lowry stated there is a home in Carved in Bark that has a sign advertising an STR and asking for more information about it. It was suggested she speak with Code Enforcement.

DISCUSSION ITEMS/NEW BUSINESS:

Turtle Crossing Sign on East Madison Road – Price was approached about placing signs on East Madison Road at Durgin Pond to warn drivers of turtles crossing the road. Arruda's question that these are expected to be paid for by the Town was confirmed.

L. Shackford offered her thoughts as a regular driver in that area; drivers begin to be "blind" to signs that they see all the time and personally, she is more aware of signs that go up seasonally.

Price offered to look into temporary signs and to get an idea of when and for how long they should be in place.

North Country Council - Route 16 & Route 113 Intersection – A request from NCC to have the Board back Albany's proposal for improvements to the Route 16/113 intersection was reviewed. Price noted that this is not the final proposal and has no problem backing the 10-year plan. Arruda stated there will be more hearings with Brooks concurring and adding that there were recent notices in the Conway Sun. Gray clarified that the proposal is to move the junction about 0.4 miles south. It was agreed that a bland letter of support would be sent knowing that further research would be sought.

Motion by Price, seconded by Gray to sign the support letter out of session to meet the July 3rd deadline. The motion passed **3-0**.

OLD BUSINESS:

New Rec Fee – O’Donnell asked the Board to consider a fee of \$5/hour that would allow parents to drop their children off at summer camp one hour before and one hour after the scheduled hours of 9am – 4pm.

Gray asked how many campers would be interested in this option with O’Donnell responding six which would make it worth having one counselor there.

Price explained that a public hearing would be needed before the fee could be imposed suggesting a hearing at the July 9th meeting.

The Board agreed to hold the hearing on July 9th with Shackford making the public notices.

Square Fees – There are currently a 2.9% and a \$0.30 fee for each transaction which runs through the Square payment method. Price asked if the fee can be paid by the user.

Gray stated she contacted Square and the fact that we are a municipality does not matter. Gray will see if there is an option to toggle to that would charge the user versus the Town.

Shackford brought up a request for a refund of summer camp fees. Gray asked that an electronic payment be refunded for a family that moved out of town and Shackford asked the Treasurer about how to refund it. The Treasurer would like to see a check be generated from the General Fund and not be refunding payments through the electronic payment account. A green Request for Payment sheet would be submitted. Shackford asked about how much the refund would be; \$600 or the amount the Town received after the fees. Gray was of the opinion that it should be the \$600 with Price and Arruda of the opinion to refund only the amount received.

Shackford noted that the rec website offers conflicting information in regards to refunds. It states no refunds but that they will be reviewed case-by-case. It was agreed that any requests for refunds will be submitted in writing to the Board for a decision.

Scholarships for rec fees were discussed. Several donations have been received that would cover the fee for swim lessons. Price is comfortable with O’Donnell deciding who should receive them. The criteria used for eligibility in the past was if the camper received free or reduced lunch at school, they could be eligible.

O’Donnell asked the Board, on behalf of the Rec Committee, how much say they have in these decisions. Price feels it depends on the case. Most decisions regarding refunds and scholarships should come through this Board but at the same time if it happens every week, there should be some authority given the Rec Director. Since there are currently no issues, Price would like to think a bit on the subject.

O’Donnell will put it out to the people that signed up for swim lessons, but have not paid, that some scholarships have been received and if anyone is in need they will have to come before the Board for a non-public. Gray asked O’Donnell to still reach out the Ossipee Children’s Fund for guidance.

Selectman Gray’s List – Gray spoke to a public comment made by Koziell; Gray feels the majority of people said they did not understand what they were voting for regarding STR zoning changes and noted that the vote to establish the \$80,000 ETF was not cut and dry.

Selectman Arruda's List – Arruda noted that the budget is in pretty good shape with 48.9% being used at the 48.5% point of the year; and added that revenues at the Transfer Station are in line with last year.

Gray mentioned that the square has taken in \$13,720 in rec fees with \$500 being paid to Square in fees.

Selectman Price's List – No items

Administrator's List – No items

Department Heads' Lists:

Town Clerk/Tax Collector/Fire Chief Brooks – The Town received FEMA reimbursement for the July 17, 2023 storm event in the amount of \$263,000 for part of the repairs to Colby Hill Road. Brooks updated the Board on FEMA submissions thus far. Brooks also mentioned:

- Tax Collection is typical with a large payment expected July 3rd;
- Brooks and a member of the Fire Department have passed their EMT course and are now awaiting the state and national tests;
- The PFAS testing is moving along with Brooks being surprised we have not received an update yet. Brooks expects Wilcox & Barton to come and eventually speak to the results. Gray asked if they will help with grant funding with Brooks hoping some funds will still be available after other larger Towns in the State have been satisfied.

DPW Director Shackford – Paving on Mooney Hill, Pound and E Madison Roads should be complete tomorrow with Shackford also mentioning:

- The raft was repairs from a broken step weld;
- The pump at the field is being fixed;
- It was decided that the lock will be removed from the water supply. And eventually it will be determined which well supplies which faucet.

Rec Director O'Donnell – Thank you to everyone for their help getting Summer Camp off to a great start and helping with the water supply. Memorial Hospital and NE Autobody have made donations that enabled shirts to be purchased for the campers.

SIGNATURE ITEMS:

Manifest

Payroll & Accounts Payable Checks

2024 MS-535 Financial Report of the Budget

Request for Payment: Rev Rec Acct \$1,096.50 Conway Embroidery

Rev Rec Acct \$119.95 H. O'Donnell Reimb

Warrant for Unlicensed Dogs

2023 Tax Abatements: Burns - 137 Brookstone Lane \$410.97

Oxford – 16 Grison Rd \$3,230.33

Spruiell – 15 Liberty Lane \$364.43

Heller – Shieling Road \$27.95

Dodier – 1461 East Madison Rd \$42.48

Stark – 418 Allard Hill Road \$583.39

Arnold – 20 Crest Lane Denied

Rapoza – 24 Ridgeview Drive Denied

Yield Tax: Coleman 207-001 \$3,503.16

Nuveen 229-010 & 231-008 \$9,727.88

Intent to Cut: Hoyt 249-005

6:32 PM Motion by Price, seconded by Arruda to enter **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, **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 (e)** Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.

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

7:15 PM Motion by Arruda, seconded by Gray 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 and **Non-Public Session per RSA 91-A:3II (e)** Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph; and seal the minutes of **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.

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

Motion by Gray, seconded by Price to adjourn at 7:15 pm. The motion passed **3-0**.

NEXT SELECTMEN’S MEETING – The next Selectmen’s Meeting is scheduled for July 9, 2024 commencing at 4:30 pm at Town Hall.

Respectfully Submitted,

Linda Shackford,
Town Administrator