

**BOARD OF SELECTMEN
TOWN OF MADISON
March 19, 2024
MINUTES**

Selectmen Present – John Arruda, Adam Price
Selectmen Present by Phone – Joy Gray

Others Present –Town Administrator Linda Shackford; Land Use Administrator Kate Young; 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 Kasia Scentsas

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.

Electronic Participation per RSA 91-A:2,III: Gray requested to participate by phone. Price and Arruda agreed to the request. Gray was called and stated that she was unable to attend due to illness and no one else was present in the room with her. Price stated all votes during this meeting will be by roll call.

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

Chairman: Price, having been prompted by Arruda, senses that Arruda would like to offer up his seat as Chairman. Price noted that historically the chairman is the Selectman serving the last year of their term, however, Price would be willing to be the Chairman.

Motion by Gray, seconded by Arruda to have Price serve as Chairman for the year. The motion passed **3-0** by roll call vote: Arruda – aye; Price – aye; Gray – aye

Indemnify the Board: Price read aloud RSA 31:105 Indemnification for Damages which states: A city, town, county, village district or precinct, school district, chartered public school, school administrative unit, or any other municipal corporation or political subdivision may by a vote of the governing body indemnify and save harmless for loss or damage occurring after said vote any person employed by it and any member or officer of its governing board, administrative staff or agencies including but not limited to selectmen, school board members, chartered public school trustees, city councilors and aldermen, town and city managers, regional planning commissioners, town and city health officers, overseers of public welfare, and superintendents of schools from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office.

Motion by Price, seconded by Arruda to indemnify the Board of Selectmen as they presently sit per RSA 31:105. The motion passed **3-0** by roll call vote: Arruda - aye; Price - aye; Gray - aye

APPROVAL OF MINUTES:

Motion by Arruda, seconded by Price to approve the minutes of March 5, 2024 as written. The motion passed. The motion passed **2-0-1** by roll call vote: Arruda – aye; Price – aye; Gray – abstained as she was not at the meeting.

Motion by Price, seconded by Arruda to approve the Non-Public minutes of March 5, 2024 made public as written. The motion passed **2-0-1** by roll call vote: Arruda – aye; Price – aye; Gray – abstained as she was not at the meeting.

APPROVAL OF MANIFESTS:

Motion by Arruda, seconded by Price to approve the Manifest of March 18 - 25, 2024 in the amount of \$415,815.18. The manifest breakdown is as follows: \$105,728.19 for accounts payable; \$33,219.77 for payroll; \$10,404.44 for payroll liabilities; \$16,462.78 for NHRS and \$250,000 for Madison school. The motion passed **2-0-1** by roll call vote: Arruda – aye; Price – aye; Gray – abstained as she did not review the supporting documents.

PUBLIC COMMENTS: There were none.

Conservation Commission “Chain of Ponds”: In the absence of Chairman Lutjen, Michael Brooks, being a member of the Commission in attendance, was asked to read aloud a prepared statement:

“The Upper Saco Valley Land Trust (USVLT) is under contract to purchase the property known as the “Chain of Ponds.”

The Madison Conservation Commission (MCC) received a copy of appraisal on March 29, 2023 and the concluded value for the project was \$750,000.00 which does not include expenses such as surveying costs, legal fees and title work and closing fees, document preparation, USVLT Administrative Expenses, Site Management, Long Term Stewardship Endowment to name a few for an estimated amount of \$1,254,000.00. USVLT is hoping to derive income from Anonymous Foundations and donors, public fundraising and funds through the USFS Community Forest Program and LCHIP funding as well as to collect income from other sources.

USVLT is in the process of fundraising for the acquisition of the property and related expenses and they are aware that the MCC only has approximately \$213,000 available in the Land Use Change Tax account to give in support of the project and this amount was agreed to by USVLT and MCC. In return, USVLT will grant a Conservation Easement to the Town of Madison. In August of 2023, Mike Morin, Conservation Director of Upper Saco Valley Land Trust through their attorney, prepared an Acquisition of Conservation Easement for Madison Chain of Ponds which went back and forth for revisions between USVLT’s attorney as well as the MCC’s attorney. Finally, on September 7, 2023 and September 13, 2023 the letter was signed by MCC and USVLT.

Then in December of 2023, the MCC received the final appraisal with concluded values as follows:

Before Value	\$780,000
After Value	\$325,000
Value of Conservation Easement	\$455,000

In December, 2023 the MCC was provided with the Madison Chain of Ponds Conservation Project Overview and Acquisition Details which included a budget as well as income. Also, in December, 2023 the MCC received a template of the Conservation Easement followed by a first

draft. The MCC drafted the Funding the Conservation of Chain of Ponds Conservation Easement to give to residents as well an overview of the project. The Conservation Easement is still undergoing revisions and deletions as it was given to the MCC as a boiler plate easement

On March 7, 2024 the MCC held a Public Hearing as to the Conservation Easement for the Chain of Ponds. The Public Hearing was well attended and most were in favor of moving forward.”

Price added that the next step pursuant to RSA 36-A:4I is for the MCC to get approval from the Selectboard to move forward with the purchase pending conditions that all the funding will be received by the closing date and the conservation easement be acceptable to the MCC and USVLT.

Arruda asked for clarification of the amount the easement will cost the Town; \$200,000 as per the December 6th USVLT letter, or \$213,000. The cost would be \$213,000, the letter contained an estimated number. Arruda asked about the \$100,000 Site Management expense; Brooks explained that this is an estimate of improvements to the property such as existing roads and gates, this is a one-time expense.

Gray had no comments.

Price would like to see the easement prior to approval.

McKenna stated that the reason for the public hearing was to show a commitment from the Town; no funds will be released until the easement is agreed upon. The Town is not committed to pay if you do not agree to the terms. The purchase will happen even if all the funds are not collected; fund raising will be allowed to continue to pay off the purchase.

Price reiterated his understanding as the easement does not take effect until USVLT takes possession of the property, the Town does not spend funds until USVLT takes ownership, Crowe receives their money in November and then pay back is worked out.

Arruda asked if a formal letter is required or are the minutes of this meeting sufficient. McKenna stated that Mike Morin needs to know that the Town is committed when all variables are met.

Brooks stated that the wording of the easement is being worked on with hopes of having a more defined draft before having a legal review. McKenna added that Tim Nolin has done several of these and would help the commission through the process to cut down on legal expenses.

Price offered his support so long as the easement meets the Town’s requirements adding he does not want recreation to end on the property and would like to have that incorporated into the easement. Arruda offered his support. Gray asked if a motion to approve was necessary; it was decided it was not with Price stating that all members have offered their verbal support.

Appointment of Selectmen to Boards and Committees: The Board decided the following appointments:

BOARDS	APPOINTMENT
PLANNING BOARD	Price
CONSERVATION COMMISSION	Gray
JOINT LOSS COMMITTEE	Gray
MUNICIPAL RECORDS COMMITTEE	Gray
AGING COMMITTEE	Arruda
ADVISORY BUDGET COMMITTEE	Gray
REC COMMITTEE	Price
BROADBAND COMMITTEE	Bill Lord

Shackford noted that the Broadband Committee is looking for an alternate as Mary Cronin has resigned.

Appointment of Members to Committees, Commissions, Boards and Councils: The Board reviewed the list of potential members and made appointments as follows:

Board/Committee/Commission/Council	Position	Volunteer	Appointment
Conservation Commission	Regular	Ralph Lutjen	Yes – 3-yr
	Regular	Marcia McKenna	Yes – 3-yr
	Regular	Michael Mosher	Yes – 1-yr
MWV Economic Council – 1 yr term	Regular	Ted Kramer	Yes
Old Home Week – 3 yr term	Regular	Adam Price	Yes
Rec Committee – 1yr terms	Regular	Courtney Price	Yes
	Regular	Heidi Thomas	Yes
	Regular	Cheri Stackpole	Yes
	Regular	Megan Thomson	Yes
Vet Monument Committee – 1 yr term	Regular	Michael Brooks	Yes
Veterans Support Committee – 3 yr term	Regular	Gary Palmer	Yes
ZBA	Regular	Doug McAllister	Yes
	Regular	Jennifer Skaife	Yes

Town Meeting Review: Discussion the warrant included:

Article 4: Amended down to \$1,772,995.00, bringing the MadTV line to the amount of the franchise fees received;

Article 17: Regarding the ground water ETF, Brooks will notify the necessary entities of the approval;

Article 23: Acceptance of Banfield Hollow roads. Shackford will research the necessary steps for the change in ownership. Arruda suggested making a call assuring that they understand they are still responsible until the transfer of ownership has been made.

Article 25: Petition regarding start times of meetings. Gray was amendable to a 5:00 pm start for Selectmen's meetings. Both Arruda and Price prefer staying with the 4:30 pm start time which Gray was agreeable to.

OLD BUSINESS: There was none.

Selectman Gray's List: Gray thanked the voters who put her in office.

Selectman Arruda's List: Arruda asked about the timeframe for getting the new roll-off trash truck. Swift responded he was told May/June.

Selectman Price's List: Price has received offers from volunteers to do the infield at the ballfield. Burke Quarry is able to create the dirt mix at a cheaper rate than others. Brooks offered to assist Price with the mark-out. The field will not be able to be used only when they are actually working on it; there are no chemical treatments planned with this particular improvement. Price also mentioned:

- Price, on behalf of Director O'Donnell, reported that about 70% of the banner vendors will be donating \$100 to re-hang their banner, it is \$150 for any new vendors;
- The Eggstravagnza is March 30th from 9:30am – 11:30am as a fund raiser for Rec;
- Price asked J. Shackford to have the basketball court cleared at the request of residents.

Administrator's List: No items.

Department Heads' List:

DPW Director Shackford – A list of projects was read by Shackford that were completed over the last two weeks which included:

- Raking and adding ¾" stone to several road to mitigate the mud issues;
- Covers were installed on Transfer Station containers to keep snow and water out;
- Modoc Hill Road is open again with Shackford asking if the Selectmen would consider awarding the Town Meeting approved article for the funds to do the repairs.

Motion by Arruda, seconded by Price to have Burnham and Company perform the improvements to the Modoc Hill Road culvert. The motion passed **2-0-1** by roll call vote:

Arruda – aye; Price – aye; Gray – abstained as she did not have all the information.

- Shackford has obtained permission from the land owner to remove the beaver dam that is contributing to the Modoc Hill Road culvert issue noting that former Road Agent Chick had received similar permission in the past;
- The Sunday snow storm had the plows using rubber cutting edges trying to cause less damage to soft dirt roads;
- Several trees were removed from the road with the recent wind events;
- The fire extinguishers among all Town departments and buildings were professionally inspected;
- A new source of pot hole patch was been obtained that has a shelf life of two years versus the six month life of what has been used;

- The new plow truck is in service that was approved at the 2023 Town Meeting;
- The DPW is in need of a couple of part-time seasonal workers. Arruda mentioned utilizing the Transfer Station employees when it is not busy. A help wanted ad will be put in the paper.

Marcia McKenna asked if the Board would consider making Elizabeth Rogerson an alternate on the MCC. Price has no problem with the idea. L. Shackford will research the answers last received from Town Counsel about alternate MCC members and report back.

- Shackford met with Casella Organics and Village Green about materials for the ballfield. The proposed fix is to aerate, seed and spread 1/3” of 87% organic matter. The cost of 250 tons would be about \$8,500 which would come from the Ballfield ETF with a balance of \$63,000. The initial fix will be about \$13,000 with about \$5,000 a year to maintain.
Motion by Price, seconded by Arruda to engage both Casella Organics and Village Green to fix the ballfield. The motion passed **3-0** by roll call vote: Arruda – aye; Price – aye; Gray – aye.

Town Clerk/Tax Collector Brooks – He attended a meeting in Concord regarding the new state wide voter registration program. This will be the first upgrade since the program came about.

Chief King – The 2024 Highway Safety Grant patrols have begun with Lieutenant Hayford picking up a DWI.

Code Officer Boyd – Changes approved at Town Meeting for the Building Permit Ordinance have begun along with changes to the applications. All will soon be up on the website.

SIGNATURE ITEMS:

Manifest

Payroll & Accounts Payable Checks

Yield Tax: 23-283-06-T Morrill \$365.08

Intent to Cut: Alvin J. Coleman & Son, Inc - Map 207 Lot 001

Edward Claprod - Map 228 Lots 50 & 51

Alvin J. Coleman & Son, Inc - Map 202 Lot 008

Land Use Change Tax: Map 209 Lot 017-002 \$9,500.00

5:34 PM Motion by Price to enter Non-Public Session per RSA 91-A:3II (b) The hiring of any person as a public employee and per RSA 91-A:3II (l) 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; Gray – aye

6:04 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 (b)** The hiring of any person as a public employee, **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 (l)** 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; Gray – aye

Motion by Arruda, seconded by Price to adjourn at 6:04 pm. The motion passed **3-0**.

NEXT SELECTMEN’S MEETING – The next Selectmen’s Meeting is scheduled for April 2, 2024 commencing at 4:30 pm at Town Hall.

Respectfully Submitted,

Linda Shackford,
Town Administrator