

**April 24, 2012**  
**Selectmen's Meeting/Approved Minutes**

Present: R. P. McGinnity Ch., A. Richards, C. Moser & A.A. Milkovits  
Also present: 4 residents

Meeting opened at 7:30 PM. The check register was reviewed and signed.

**Agenda:**

**Appointments:**

1. Beth Bartlett, Vice President Government Banking People's United Bank, presented the Board with the documents from the Bond counsel for the 2012 TAN to be funded by People's United Bank. Documents were Town Certificate, Tax Anticipation Note No. R-1, Line of Credit Rider attached to Note No. R-1, and IRS Form 8038-G. Also present were Town Clerk D. Morrison and Treasurer P. Letourneau to sign the documents. Before signing the documents, the Selectmen reviewed and discussed the proposed Post-Issuance Tax Compliance Policies and Procedures. This new policy was explained in a memorandum from David H. Barnes and Renelle L. L'Huillier, Bond Counsel. At a closing of a bond or TAN, the Board signs a No Arbitrage and Tax Certificate; this allows the Bond Counsel to determine that the notes, bonds are tax exempt. Apparently after the notes/bond are funded, some circumstances could change and the use of the proceeds could affect the tax exemption status. The IRS has been reviewing some of these bonds issued previously for the exemption status. By passing this policy for post issuance, the town will have the procedures in place to monitor the appropriate use of the funds. A motion was made, seconded and voted in the affirmative by the Selectmen to sign the following resolution:

- To approve the Post-Issuance Tax Compliance Policies and Procedures, as attached
- To name the Treasurer as the "Coordinator" under the above Policies and Procedures and that the Treasurer accepted the nomination
- And that the resolution would take effect from and after its adoption.

The Board of Selectmen, Town Clerk and Treasurer then proceeded to sign and approve all TAN documents as composed by the Bond Counsel. It was recommended by the Treasurer to withdraw \$300,000 as the first draw from the TAN. Ms. Bartlett will return all documents to the Bond Counsel and expects to have the TAN funded by Thursday, April 26<sup>th</sup> or Friday, April 27<sup>th</sup>.

2. Ms. Bartlett also submitted a proposal from People's United Bank, for banking services for the town. The Board of Selectmen and the Treasurer will review this proposal and make a decision at a later date.
3. Wallace Brown and Robert Larochelle Cemetery Trustees met with the Board to discuss the Cemetery operations. Road Agent Fred Greenwood was also present for the discussion. Mr. Brown wished to reiterate his position that the cemeteries are under the direction of the Cemetery trustees not the Highway Department. Last year the Selectmen had placed the cemeteries, town common, parks and town building under the direction of the Road Agent. The Road Agent would be responsible for those budgets as well as scheduling the work for maintenance, etc. Since the RSAs clearly state that the cemeteries are under the trustees, then this responsibility will revert back to the trustees. Mr. Brown wishes to spend the cemeteries budget as needed for maintenance. Mr. Greenwood also explained that

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Mr. Brown now gives his work schedule on Mondays which helps in planning for the use of town equipment. Since the Cemetery Trustees do not own equipment, any mowing, seeding, setting bounds must be done by using the Highway Department equipment. Appropriate maintenance and fuel charges will be posted against the Cemeteries budget. This sharing and use of equipment were agreed to by both the Cemetery Trustees and the Road Agent.

4. Wallace Brown, Recreation Committee member met with the Board as requested to discuss the gazebo project. He presented a picture of a gazebo that is very similar to what the town's gazebo will look like. The gazebo will have electricity which will be installed by a licensed electrician. The rest of the work is being done by volunteers. LGC-PLIT will be contacted again to be sure that there is insurance coverage on the volunteers. Mr. Brown stated that they expect to use the gazebo on Sunday, September 9<sup>th</sup> for the Old Home Day celebration.
5. Road Agent Fred Greenwood returned to discuss the proposal to require a weight limit bond for commercial vehicles doing business in the town. At present there is an ongoing logging project on Abbott Hill Road that appears to be damaging the edges of the road. After more discussion, a motion was made, seconded and voted in the affirmative by the Board to adopt the following as drafted by Selectman Moser: **It was moved that the Town of Mason require any business, construction project, industry, logging or excavation project within the town involving vehicles with a gross vehicle weight in excess of 80,000 pounds shall be required to post a bond to cover any damage to the road caused by such activity, in an amount to be determined by the Road Agent.**
6. Police Chief Barry Hutchins returned to discuss the civil forfeiture payment to the K-9 Fund. The Town of Mason was not listed on the official D.A.C. form from the federal government. However there was an agreement between then Brookline, NH Police Chief Goulden and Police Chief Hutchins that there would be a \$10,000 payment from the proceeds of this drug seizure to the Mason K-9 Fund, since the Town of Mason K-9 helped to affect the arrest. The present Brookline, NH Police Chief Quigley has also agreed to the original agreement. A motion was made, seconded and voted in the affirmative by the Selectmen to accept the \$10,000 payment from the drug seizure (civil forfeiture) for the Town of Mason K-9 Expendable Trust Fund.
7. A non-public session was called at 8:55 PM for a personnel issue. Present were Selectmen, Town Clerk/Tax Collector Morrison and A.A. Milkovits. Mrs. Morrison stated that according to town meeting her salary was increased to \$25,600, which absorbed the budgeted \$1,000 M.A. fees, not \$24,600 as listed on the expense report. She stated that the RSAs were changed in 2008 which then did not allow Clerks receiving salary as compensation to also receive the M.A. fees. Mrs. Morrison explained that the former Clerk was not aware of that change when she was receiving both a salary and the M.A. fees. The Selectmen had attempted to rectify that situation by only budgeting three months of M.A. fees for 2012. However town meeting had increased the salary line by an amendment that moved the fees into the salary line. After some discussion, it was agreed to change the Town Clerk/Tax Collector salary line to \$25,600, with the already expended M.A. fees posted against the total. Session ended at 9:03 PM.

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8. TC/TxC Morrison also discussed the router issue. The former TC and IT Scholl had recommended a new router with firewalls, to the Board. The Board had understood that the router would be used for registrations, etc. and on contacting the DMV had learned this would not be used at this time. Mrs. Morrison stated this was not the case for the proposed router, it was for security instead. The Selectmen recently received an email from Homeland Security concerning possible website attacks on municipal sites. Establishing more firewalls for the town's website and internet use of departments seems to be a timely issue. The Board recommended that Mrs. Morrison contact our IT, Ray Scholl for other router options.

**Selectmen reviewed the following:**

1. Current Use Applications: Jonas, lot J-76-4, this will be reviewed by town assessor Richard Rockwood. Also since one of the categories selected is farm and the acreage is under 10 acres, DRA will be contacted for requirements for approving this application. Mullan, lots E-53, E-53-1, this application was approved.
2. Application for Veteran's Credit: Alan Wolfe, lot L-11-1, this application was approved for a credit of \$500 for the 2012 Property Taxes.
3. Safety Inspection Report: TC/TxC Morrison was present for this discussion. Chairman McGinnity and Selectman Moser met with Inspector DiGangi, Department of Labor on Thursday, April 12<sup>th</sup>. The Inspector was very pleased with the change to the office doors for Work Place Safety and approved the Town of Mason for abating the final outstanding violation. Chairman McGinnity explained that the doors at least give the perception of limiting access to the two offices. The state cannot force the town officers to keep the public out but they do recommend that action. Mrs. Morrison also maintained that it would be very difficult for her to reconfigure her office to satisfy the state's recommendation. She will continue to allow the public into the TC/TxC's office. Selectman Moser stated that he feels that the town has an elected official who should run her office as she wants. Chairman McGinnity disagreed stating that the Board of Selectmen has a responsibility to keep all employees safe. After more discussion, Selectmen and Mrs. Morrison agreed that the Town Clerk/Tax Collector's office would allow only one person (public) in the office at a time to conduct town business.
4. Revised Mason School Payment schedule – June payment reflected a slight decrease to \$121,302 from \$130,000.
5. State approved Septic designs: Dillberger, lot L-38 and Gavin, lot H-72-1
6. Completion Certificate: Gavin, lot H-72-1 septic
7. Anonymous complaint concerning 304 Old County Road – possible wetlands violations – clearing land and placing stable waste above brook. This will be forwarded to the Conservation Commission for review.
8. Police logs
9. Email from NH Homeland Security concerning possible cyber attacks on municipal websites and a reminder to complete Information Sharing Agreement form. No decision to sign the form at this time.

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10. Re: Capital Assets Policy: Selectmen, as well as the Department heads, are working on the documents for this policy. This policy will be extensively reviewed at the next meeting on May 8<sup>th</sup>.
11. Re: Investment Policy: This policy will be extensively reviewed at the next meeting on May 8<sup>th</sup>.
12. Response from Trustee George Schwenk via A.A. Milkovits, concerning the Trust Funds Investment Policy. Mr. Schwenk stated that he has previously presented this policy to the Board and it is on file in the Selectmen's office.
13. Re: Junkyard license- Erik Blair The Board has reviewed the last court order on Mr. Blair and will verify all conditions are fully met before renewing Mr. Blair's license. The Board will direct Kenneth Wilson, Building Inspector to inspect Mr. Blair's property for the following conditions and report back his findings to the Board:
  - *All outside materials must be stored no closer than 125 feet to Hurricane Hill Road.*
  - *No outside material could be stored west of the driveway.*
  - *All outside stored material must be 75 feet from any property line.*
14. Re: R.F.P. for Legal Counsel – Selectman Moser will be composing the letter to request the R.F.P. for legal counsel, by the next Selectmen's meeting on May 8.
15. Notice that representative from Congressman Charles Bass's office will be holding office hours at the Mason Town Office on Thursday, May 10<sup>th</sup> from noon until 1 PM.
16. Other correspondence: Notice from NH Division of Forests and Lands- Due to redistricting Ranger Neil Bilodeau is now covering Mason.  
Notice from LGC – 2012 Wage, Salary and Benefit Survey is due by May 27, 2012.  
Notice of Mortgagee's sale – Jodoin, 132 Old Turnpike Road on May 8, 2012.

Selectmen previously signed a letter to the NH Division of Historic Resources for the Conservation License Plate Grant Program. The Conservation Commission is applying for a grant under the above program for the repair of the trestle at Jackson Road. The Selectmen's letter defined the ownership of the Mason Railroad Trail which included the trestle at Jackson Road.

Selectman Moser proposed a policy for Selectmen's Meeting Minutes to ensure that the Board is compliant with RSA 91-A. Minutes must be available within 5 business days of the meeting. The Policy outlines when the minutes are available, that the draft or unapproved minutes will be provided to the Selectmen for review. Such minutes will be approved by the Board at the next following meeting and the approved minutes will be filed together with the unapproved original written minutes. After reviewing the policy, a motion was made, seconded and voted in the affirmative by the Board to accept and adopt the Selectmen's Meeting Minutes Policy as written.

Meeting adjourned at 9:44 PM.