

Mason Town Meeting, March 16, 2013
Mason Elementary School, 13 Darling Hill Rd.

Moderator Catherine Schwenk came to the microphone at 8:55 am and requested that non-voters wear non-voter credentials and sit in the first row to the Moderator's left. There was no request for interpretive services. She indicated the fire and emergency exits and then introduced those sitting at the head table: Selectmen Anne (Nancy) Richards, R. Peter McGinnity (Pete), Charles Moser and Town Clerk Debra Morrison. Also present were State Senator Peggy Gilmour, State Representative Melanie Levesque and former State Representative Jack Flanagan.

The Moderator acknowledged that preparation for this meeting is a coordinated effort of many individuals, including school facilities manager Richard Griffith, Select Board assistant Barbara Milkovits, Town Clerk Debra Morrison and Supervisors of the Checklist Jeannine Phalon, Kathleen Wile and Wallace Brown.

She noted that the minutes of the recount for the town and school from 2012 were left out of the minutes and will appear in next year's Town and School District reports.

The Moderator then reviewed the procedure for voters. Voters wishing to speak should use the microphones and address any questions to the Moderator; all amendments and substantive motions must be in writing and signed by the maker and seconder; every voter is entitled to speak on a debatable motion unless the body, by a two-thirds vote, has ordered discussion stopped. A voter is entitled to speak a second time on the same question provided all voters who wish to speak have spoken.

The Moderator announced the results of the Town and School District elections. Total votes cast were 320 out of a total of 950. She declared the winning candidates elected to their respective offices.

Selectman for 3 years: Shane Robinson 66
Bernard O'Grady 202

Trustee of Cemeteries: Kenneth Spacht 272

Library Trustee: Christine Weiss 278

Supervisor of the Checklist: Dorothy Minior 11 (write-in)

Trustee of Trust Funds: George Schwenk 268

The following articles were voted on at the polls on Tuesday, March 12, 2013.

The results of **Article 2** — To see if the Town will vote to adopt the provisions of RSA 40:13 (known as SB2) to allow official ballot voting on all issues before the Town. By petition. Requires a 3/5 vote to pass.

Yes 177 No 139 (needed 190 to pass / Article 2 fails)

Mason School District Results

School Board Member: Robert Hemmer 234
C. Christopher Guiry 25 (write-in)

District Clerk: Rebecca Partridge 247

The results of **Article 2** — To accept the reports of agents, auditors, committees, or officers chosen as printed in the Annual Mason School District Report.

Yes 257 No 37 Article 2 carries

The results of **Article 3** — Shall The Mason School District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant, or as amended by vote of the first session, for the purpose set forth therein, totaling \$2,976,896.00? Should this article be defeated, the default budget shall be \$2,978,615.00 which is the same as last year, with certain adjustments required by previous action of the Mason School District, or by law, or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only. (School Board recommends this Warrant Article)

Yes 250 No 61 Article 3 carries

The results of **Article 4** — To see if the Mason School District will vote to authorize, indefinitely until rescinded, to retain year-end unassigned general funds in an amount not to exceed, in any fiscal year 2.5% of the current fiscal Year's net assessment in accordance with RSA 198:4-B II. Such fund balance retained will only be used to reduce taxes or for emergencies that are approved by the Department of Education pursuant to RSA 32:11. (School Board recommends this Warrant Article)

Yes 219 No 88 Article 4 carries

The results of **Article 5** — Shall the Mason School District raise and appropriate the sum of Ten Thousand Dollars (\$10,000.00) to be added to the previously established Educating Educationally Disabled Children Capital Reserve Fund (Established in 2010), with such amount to be funded from the June 30, 2013 unreserved fund balance available for transfer on July 1. No amount to be raised from taxation. (School Board recommends this Warrant Article)

Yes 194 No 114 Article 5 carries

The results of **Article 6** — Shall we rescind the provisions of RSA 40:13 (known as SB2), as adopted by the Mason School District on 9-March 2010, so that the official ballot will no longer be used for voting on all questions, but only for the election of officers and certain other questions for which the official ballot is required by state law? (3/5 majority vote required, this is a Petition Warrant Article)

Yes 116 No 194 (needed 186 to pass / Article 6 fails)

The Moderator called the meeting to order at 9:06 am.

There were 119 voters and 5 non-voters present.

The colors were presented by Boy Scout Troop 264, which included scouts Nate Addonizio, Jon Arsenault, Samson Hodges, Kaleb Kearney, MaxMcDonald, Max Phalon and scout leader Mike McGuire.

The Pledge of Allegiance of the United States of America was led by Selectman and Firefighter Nancy Richards.

The Moderator then recognized Selectman Pete McGinnity for a special presentation. Pete asked Peggy Gilmour, Melanie Levesque and Jack Flanagan up for a presentation to retiring Selectman Nancy Richards, recognizing her 23 years of service to the town. Melanie read the proclamation from Gov. Maggie Hassan and Nancy received a standing ovation. Peggy read a resolution from the NH Senate congratulating her for her service and Jack read a declaration from the House of Representatives.

Nancy spoke and said how much she's loved serving Mason. She added that, "old soldiers fade away."

Pete thanked the representatives who came. Administrative Assistant Barbara Milkovits spoke stating she's worked with Nancy from the beginning with a few lessons learned: "Honor your commitments. Keep your word. Say thank you – acknowledge someone no matter what they're saying." Pete handed Nancy a plaque from the Selectmen's office along with some gift certificates.

Pete then recognized Ken Wilson who's retiring as Building Inspector in May after 46 years and presented him with a plaque and gift certificate. Ken spoke saying he's had a good time and thank you. His wife, Sally Wilson, is retiring today as ballot clerk.

Mrs. Schwenk thanked the Wilsons along with the Wolf Rockers Square Dance Group for improvements to the town hall which included sanding and finishing the floors, painting the walls, installing fireproof curtains and a handicapped bathroom. Sally herself made the curtains and replacement curtains for some of the older voting booths. Their daughter, Cindy Tibbetts, is retiring for health reasons as EMT-1 from the Mason Fire Department.

The Moderator read the records of the Building Inspector which showed that from 1969 to 2011 there were 488 permanent dwellings, 246 additions, 202 barns, 115 septic repairs and 126 porches and decks. We also have 6 greenhouses, 5 airplane hangars, 2 kennels and 1 yurt. She mentioned these statistics to acknowledge that it takes a mighty effort in planning to make it all work and then announced the retirement of Bruce Mann from the Planning Board after 25 years, thanking him for his work.

There was no objection to waiving the reading of the warrant.

On motion of Pete McGinnity, duly seconded, it was voted unanimously to accept the reports of agents, auditors, committees or officers chosen as printed in the Annual Town Report.

On motion of Barbara Milkovits, it was carried unanimously "to see if the Town will vote to create an honorary, unfunded position of Selectman Emeritus and nominate Nancy Richards. Such position to be held by a retired Selectman who may offer guidance and help new board members."

Article 3: Pete McGinnity moved and it was seconded to see if the Town will vote to raise and appropriate the sum of One million, six hundred ninety-nine thousand, five hundred forty-three dollars (\$1,699,543) which represents the operating budget. Said sum is exclusive of all Special or Individual Articles addressed.

Charles Moser proposed an amendment to "Warrant Article 3, the 2013 budget, by striking the figure \$61,000 on line item 6018-01, Road Agent salary, and replacing it with the figure of \$52,500; and further to strike the figure of \$55,000 on line item 6018-05 and replacing it with the figure \$63,500, said changes representing a reapportionment of the highway budget causing no harm to the total highway budget or to the overall budget."

Pete spoke in regards to the change because of the feedback by townfolk in relation to the salary and the percentage of increase. This new figure represents a one-time salary adjustment of three percent. Charlie spoke on the highway budget and appreciates the town's support.

Several people spoke in support of the highway department. Shawn Jodoin discussed the budget hearing and the road agent salary, including insurance. Christopher Rush spoke saying he's worked for Fred Greenwood for two years. He loves his job but states that Fred "rules with an iron fist." Shawn Jodoin moved the previous question to stop debate and the motion carries.

The Moderator was in doubt with the oral vote and took a standing vote: Yes 56 No 40 and the amendment carries.

We continued on the budget by department. It was called to our attention that there was an error on page 14, line item 6005-03, which seemed to be duplicated. Barbara Milkovits explained that it was a credit.

Amanda Eaton asked about the hours worked in the Selectmen's and Town Clerk's offices. "How many hours a week do they actually work?" Barbara Milkovits and Deb Morrison explained that it varied depending on the time of year, e.g., taxes, elections, town meeting, budgets, staff and selectmen meetings, etc.

Jeff Babel made a motion regarding line item #6005-03 to change the current insurance to be voted on by ballot vote. The Moderator did not receive this motion in writing. Charles Moser raised a point of order that it is not

relevant to that line item. Nancy Richards advised Jeff to come to a financial advisory meeting in the fall. Charles felt it was not an appropriate motion two years ago when another motion regarding health insurance was presented saying, "We're discussing THIS year's budget. It needs to be brought as a separate warrant article for next year's budget consideration." The Moderator allowed discussion on the point of order. The ruling by the Moderator is that the point of order is well taken and is not in order at this time.

Police Chief Barry Hutchins spoke regarding line item 6005-03. "Two years ago this issue came up and every year it's an issue." All new employees pay 20 percent of their insurance. He asked the public to do what they agreed to do. "How often does this have to happen?"

Julie Tuttle responded, "The reason we're talking is because it's expensive. It's time to manage patients and employees appropriately." Shawn Jodoin stated that these are unsustainable increases on this line item. He's tired of absorbing increases. Charles Moser said, "There are lots of things we have to absorb — maintaining buildings, roads... Employees deserve compensation to retain continuity and treat them well, including appropriate insurance packages." Barbara DeVore spoke noting there were people who had volunteered to explore the insurance issue and establish a committee. "Here's a chance to serve on the committee."

Carol Iodice-Fritz asked who the animal control officer was. Chief Hutchins responded that the police department was.

John Pitzl questioned line item #0012-24 (K9 Maintenance) and asked why do we need K9 maintenance? The Chief responded which expenses the money went for. No salary related to dog is for him. There is a trust fund for the K9 program (\$10K as a result of the dog's work). The Chief stated we have a narcotics problem in town. We also use the dog for tracking and in surrounding areas, particularly for drug problems.

Jeff Babel asked if dog creates revenue, can we set up a fund to support the dog. The Chief said the maintenance line item is there because we should have a line item to show we support the K9 program. It is there mainly to replace the dog when needed, for training and unseen expenses. Carol Anne Bennett spoke saying that the dog is a police officer there to protect Barry and other officers and she supports the K9 program wholeheartedly. Applause.

The motion to move the previous question regarding the "kibble quibble" carries. Article 3 as amended carries.

Article 4: Nancy Richards moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Fifty thousand dollars (\$50,000) for the repair and maintenance of the town's paved roads, or take any other action relative thereto. Recommended by the Selectmen.

Road Agent Fred Greenwood spoke in regards to continuing the progress on paved roads and addressing some of the worst sections. Bill Fritz asked Fred to speak about the additional \$50,000 in line item 6018-13. Fred said, "This has to do more with being in addition to and above the budgeted amount to get more paving done." Charles Moser said the Selectmen were trying to make sure the roads don't degrade past the point of restoration. Stanley Brown asked what percentage of increase to taxes this would make to budget. Barbara Milkovits responded, "Thirty cents per thousand." Pete McGinnity stated that part of the plan Fred has brought forward is to bring the roads to where they need to be. "The worse they get the more it's going to cost us. Roads will last us longer."

The motion to move the previous question carries. Article 4 carries.

Article 5: Charles Moser moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Seventeen thousand five hundred dollars (\$17,500) for the purchase of protective safety gear for the Fire Department, or take any other action relative thereto. Recommended by the Selectmen.

Fire Chief Dave Baker spoke on the article and that the gear needs to be replaced due to safety concerns. They are past their 10-year life span. We currently have 22 firemen. Article 5 carries.

Article 6: Pete McGinnity moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Four thousand two hundred twenty-five dollars (\$4,225) for the purchase of SCBA bottles for the Fire Department, or take any other action relative thereto. Recommended by the Selectmen.

Chief Dave Baker said that the breathing apparatus bottles are good for 15 years and five bottles will expire by end of this year. These bottles cannot be recertified. Article 6 carries unanimously.

Robert Dillberger moved “to advance Article 11 before Article 7.” Bob explained that Article 11 is complex and the Conservation Commission wants to explain it before people begin to leave. Motion carries.

Article 11: Charles Moser moved and it was seconded to see if the Town will vote to authorize the Board of Selectmen to transfer or convey such property rights in the below described parcels of town owned land necessary so that the same shall be subject to a conservation easement, in perpetuity, the particular terms of the conservation easement to be determined by the Board of Selectmen, with the concurrence of the Conservation Commission, said authorization to include the authority to execute any and all deeds, documents or other instruments in the name of the Town that may be necessary to accomplish the foregoing. It is understood that this authority includes the right to convey the entire property in a transaction, the purpose of which is to have the property conveyed back to the town subject to the said conservation easement so as to insure the perpetual imposition of the conservation easement. It is also understood that the intent of this article is to cause the conservation easement to be held by a ‘qualified organization’ as defined in section 170(h)(3) of the Internal Revenue Code of 1986, existing for the purchase of or holding of property interests or facilitating transactions relative thereto when such purchase carries out the purpose of RSA 36-A, said organization may be the Society for the Protection of New Hampshire Forests or other similar qualified organization as determined by the Board of Selectmen with the concurrence of the Conservation Commission. The four (4) properties to which this authorization, if approved, will apply are:

- 30-acre Beck Lot (Map E, Lot 28)
 - 25.4-acre Coyne Lot (Map E, Lot 22)
 - 46.7-acre Downs Forest (Map E, Lot 36)
 - 19.5-acre Jefts Lot (Map E, Lot 38)
- Recommended by the Selectmen

Barbara DeVore handed out maps of the parcels. Charles Moser said this article is deceptively complex. All four parcels are in the center of town. It puts a conservation easement to convey the entire property back with the easement under the management of the Society for the Protection of NH Forests (SPNHF).

Bob Dillberger had a presentation and showed key points of the article. The four parcels surround the quarry land – the Mason Quarry project (unofficial title) — which will be deeded to the Town of Mason. (The gift of the quarry parcel is from George Schwenk.)

This article gives Selectmen the ability to accept responsibility for the easement, a legally binding agreement. Terms are outlined on the handout. It is perpetual, even if sold. All parcels will be managed together, not separately. We can take advantage of the SPNHF’s resources. No change in tax rate. The SPNHF is requesting \$10K to manage this easement, a single payment over several years. The funds are to come out of Conservation Commission fund and the SPNHF will enforce easement regulations.

Stanley Brown asked about liability on the four lots. Liz Fletcher clarified that motorized vehicles on the four parcels are not allowed. Snowmobiles are OK on designated trails. Coyne Lane and Scripts Lane are Class 6 roads and open to the public. Charles Andersen said that as the closest resident to the quarry he is concerned about the liability to the town. He also expressed concern about a 20-car parking lot.

Ted Haury wanted to know if the conveyance of the quarry is contingent on acceptance of Article 11? No. Has the town acquired or have title to quarry? No. What would happen to quarry lot if Article 11 is not approved? No effect. Please bring concerns about the quarry to a selectmen's meeting. The Moderator stated that this article concerns a conservation easement on the four parcels and the quarry discussion is not relevant.

Robert Doyle moved the previous question which carries. Article 11 carries.

Article 7: Nancy Richards moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Four thousand dollars (\$4,000) for the purchase of firearms for the Police Department, or take any other action relative thereto. Recommended by the Selectmen.

Chief Hutchins moved to amend "Warrant Article 7 by striking out the amount of \$4,000 and replacing it with \$3,607." He did not have an exact amount when the budget was proposed. The amendment carries.

The Chief further stated that the current weapons are 17 years old and the sighting systems have a 15-year shelf life. They have been well maintained but the officers are seeing failures when firing (jamming, etc.). The amended price includes the same caliber replacements with night sights, new holsters, seven weapons and includes the trade-in amount.

John Pitzl asked if there were seven guns for seven officers. Chief Hutchins responded yes, there are three full-time and four part-time officers. Stanley Brown wanted to know, "Why did you pick the 45 [caliber]? Chief Hutchins, "They're more powerful." Article 7 carries as amended.

Article 8: Charles Moser moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Fourteen thousand eight hundred fifteen dollars (\$14,815) to be added to the Highway Barn/Garage Capital Reserve, previously established and to authorize the transfer from the December 31, 2012 fund balance. Recommended by the Selectmen.

Fred Greenwood said these were monies that went to the general fund from the sale of scrap metal and the sale of some old equipment. We're going to need a new highway barn building, there's mold in the building now.

Shawn Jodoin noted that retired highway worker, Ken English, suggested that we move everything to the sand pit so they don't have to travel back and forth so much. It should be noted, however, that the town pit is over the town aquifer.

Peter LeCount asked if someone could say what is already in the Capital Reserve Fund? George Schwenk mentioned that page 24 shows where the Trust Fund stands. Article 8 carries.

Article 9: Pete McGinnity moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Ten thousand dollars (\$10,000) to be added to the Fire Station Addition Capital Reserve Fund, previously established. Recommended by the Selectmen.

Pete explained it continues to add funds for future replacement/expansion of the Fire Department if we put a little bit away every year. Ted Haury asked when money is taken out of capital reserve does it require a town meeting? Barb Milkovits responded not necessarily, agents are appointed when the fund is set up. Article 9 carries.

Article 10: Nancy Richards moved and it was seconded to see if the Town will vote to raise and appropriate the sum of Nine thousand dollars (\$9,000) to be added to the Police Cruiser Capital Reserve Fund, previously established. Recommended by the Selectmen. Article 10 carries.

Article 12: Pete McGinnity moved and it was seconded to see if the Town will vote to establish a Recreation Revolving Fund pursuant to RSA 35-B: 2 II. The money received from fees and charges for recreation park services and facilities shall be allowed to accumulate from year to year, and shall not be considered part of the general fund unassigned fund balance. The treasurer shall have custody of all monies in the fund, and shall pay

out the same only upon order of the recreation commission (no further legislative body approval required). These funds may be expended only for recreation purposes as stated in RSA 35-B, and no expenditure shall be made in such a way as to require the expenditure of other funds that have not been appropriated for that purpose. Recommended by the Selectmen.

Pete explained that this is a housekeeping issue. It allows the Recreation Committee to raise funds for town events; it creates a fund. Deputy Treasurer Garth Fletcher clarified that when money was raised in the past it had nowhere to go, creating an auditors' nightmare. This is just a place to put the money.

Stanley Brown moved the previous question which carries and Article 12 carries.

The Moderator noted that 40 years ago, there was no welcome home for our Vietnam Veterans. She asked all the veterans in the audience to rise and be recognized and received a round of applause. The she announced Welcome Home Vietnam Veterans Day to be held at the NH State Veterans Cemetery in Boscawen on Saturday, March 30, at 2 pm.

Barbara Milkovits announced there was cake in the cafeteria to celebrate Nancy Richards' retirement.

On motion of Charles Moser and seconded by many, town meeting was adjourned Sine Dai at 11:28 am.

Respectfully submitted,

Debra A. Morrison
Town Clerk