

March 26, 2013
Selectmen's Meeting/Approved Minutes

Present: Selectmen: R.P. McGinnity Chairman, A. Richards, C. Moser & A.A. Milkovits
Also present: Newly elected Selectman Bernard O'Grady, Deputy Treasurer
Garth Fletcher & 3 residents

Agenda:

Meeting opened at 7:30 PM. The check manifest was reviewed and approved.

Appointments:

1. Walter Alford, 1479 Starch Mill Road brought a complaint before the Board concerning his driveway washout that he feels the town has caused. Road Agent Greenwood was present for this discussion. There is a natural spring on his driveway that causes water to run down to Starch Mill Road. In order to keep the road from totally washing out from this running water, the Highway Department has spread gravel and crushed stone on the sides of the road. Mr. Alford feels this is causing the water to back up and erode his driveway and feels the town should fix his problem by installing a culvert on his driveway. He also stated that he had talked to Liz Fletcher, Con Com member about this as he felt the town was filling in a wetland without a permit. Mrs. Fletcher was also present for this discussion but did not comment. Selectman Moser inquired whether this is a "seasonal" spring. Since Mr. Alford has only lived in Mason since August he's not sure. Both the Road Agent and Selectmen explained that the spring does dry up in the summer and actually Mr. Greenwood had measured the deepest portion today and found it to be 2 1/4". Mr. Alford stated that he had over 90 pictures of the problems with his driveway and he presented several pictures of the area to the Board. Mr. Greenwood also presented photos taken today. Discussion ensued over the measurements of the road, edges of the road, etc. Also there were questions on whose responsibility this issue is. The property owner has the responsibility of taking care of their own driveway and especially to prevent water from coming off their property to erode the roadway. Mr. Alford was not happy with the discussion and indicated that he will be talking to an attorney about the matter.
2. Conservation Commission members: Liz Fletcher, Barbara Devore and Anna Faiello met with the Board to discuss the Quarry Conservation Easement. The Selectmen had met with town attorney William Drescher to review the easement. There were several issues with the easement that Attorney Drescher recommended changing to better protect the town. He will be sending those changes to the Selectmen for review. Some ideas discussed were erecting signs, fencing, etc.; these seem to be allowed under the easement. Selectman Moser is also researching some of the items discussed with Attorney Drescher. He will be checking with the LGC-PLIT for their input on the easement to see if the town's liability changes by accepting this property and if the premium will increase because of it. The Con Com members agreed that that this may be a lengthy process to accept the property with the easement. The greatest concern is what liabilities the town will have and what future expenses the town may incur. The Conservation Commission will await word from the Selectmen, after the Board's review of Attorney Drescher's recommendations and changes.

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3. Public Comment: Chuck Anderson, Mason resident and owner of Mason Hollow Nursery, had concerns for the acceptance of the quarry. He is also an abutter to the quarry. He is concerned that there will be more traffic to the quarry as the easement allows a parking area for 20 cars. Mrs. Fletcher responded to that issue as the parking area was put into the easement for future plans for recreational use of the quarry. There are no plans to put in a parking lot at this time. Mr. Anderson also felt there would be safety issues involved with the recreational use of the quarry and cited the many times that the Police Department has been called through the years for "illegal parties" at the quarry. He is concerned that this will become more of a burden on our PD and financially on the town by the extra police presence at the quarry. Chief Hutchins was present and responded to that by stating that if the town owns the property, the PD will then have the authority to patrol the area. Since it has been privately owned that has limited the PD's ability to enter the property. The Chief does not feel the PD will be overburdened by accepting this property. Mr. Anderson has worked with quarries and also cited the inherent danger for the public by its very nature, e.g. cliffs, granite slabs, swimming in deep areas with no knowledge what may be in the pools, etc.. This is something that will be further discussed with the town's insurance carriers and the Conservation Commission to decide what limitations to put on the public use of the area. Selectmen thanked the public for their comments and assured them that the comments will be considered in the final acceptance.

Selectmen reviewed the following:

Old Business:

1. Re: Minutes – Selectmen Meeting minutes from March 12, 2013 were approved as amended, with the following changes: "**a motion was made, seconded and voted in the affirmative to notice all paved roads with weight limit/six tons signs, beginning today (March 12, 2013)**" and "**Resident Power is no longer brokering the electric supply.**"
2. Re: ENH status - All town's electric accounts have been enrolled with ENH for savings.
3. Re: TAN status – Chairman signed the engagement letter for Devine and Millimet, bond counselors for the TAN. All other paperwork has been submitted to the bond counsel and People's United Bank. The Selectmen are awaiting final approval for the TAN from People's Bank and will call a special meeting to sign the TAN settlement papers when the approval is received.
4. Re: Website status: As discussed at the staff meeting, the Selectmen will advertise the position of webmaster. At this time, the password for the Administrator for the website will be changed.
5. Re: Server status: MicroTime will be coming out on Monday, April 1st to install more RAM in some of the computers, install the new router and work on the new server.

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New Business:

1. FEMA meeting for Disaster Nemo reimbursement on April 2, 2013. Road Agent Greenwood and A.A. Milkovits will attend the meeting to gather information on applying for the federal assistance.
2. From NH Department of Safety - Information on reverse E-911 program
3. Abatement application - Bruce Ward. Selectmen denied this application due to the lack of timeliness. Abatement applications were due on or before March 1, 2013 and this application was received March 21, 2013.
4. From NH Department of Safety - State and Local Implementation Grant Program -Program is to help states in evaluation of current broadband infrastructure and examine how cities, towns are interconnected from a public safety point of view. New Hampshire has applied for this grant and expects to hear by July for approval to begin evaluation.
5. From NH D.E.S.: Complete Forestry Notification- Anderson, lots L-25, L-53, L-54
6. Police logs
7. From Building Inspector: Memo regarding response from Barry D. Mueller Rev. Trust concerning expiring Building Permit # 10-26. The Trust will not be renewing the permit as they are selling the property. Any new owner will have to apply for their own permit.
8. Completion Certificate: Schulman, Lot L-2-2, room over garage
9. Conservation Commission minutes for March 13, 2013.
10. From DRA: Stumpage Value List - April 1, 2013- September 30, 2013
11. Other:
 - A motion was made, seconded and voted in the affirmative for the following:
 - To have Chairman R. Peter McGinnity continue as Chairman of the Board of Selectmen until March, 2014.
 - To have Selectman Charles Moser replace Mr. McGinnity as Ex-Officio on the Planning Board, effective immediately.
 - To have Chairman McGinnity replace Selectman Moser as Commissioner for the NRPC, effective immediately.
 - To accept the changes drafted in the Personnel Policy by Chairman McGinnity, concerning payment for military leaves of absence for employees. There will be no payment for military leaves of absence for any hourly employees. The payment for salaried employees for military leaves of absence will be the difference between the military pay and the regular gross salary.
 - Thank you note from Building Inspector Kenneth Wilson for his plaque and gift certificate.
 - Thank you notes from Selectman Anne Richards for her plaque and gift certificates.
 - Application for Federal Surplus Program: Selectmen voted against applying to be part of the Federal Surplus program.

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- Letter of resignation from Bruce Mann from the Planning Board. Mr. Mann spent over 30 years on the Board and his expertise will be greatly missed.

Selectmen signed the following:

- Yield warrant: LeClair, Lots K-55, K-56, K-57 for \$3,239.35
- Intent to Cut: Albright Children's Trust, Lot L-21
- Random Drug and Alcohol Service Consortium Agreement With National Diagnostics - the Town was previously in a consortium with Concentra but that company is no longer handling the random draws.

Chairman McGinnity and Selectman Moser thanked Selectman Richards for her years of service to the Town of Mason. Mrs. Richards is retiring as Selectman after twenty-three years.

Chairman McGinnity and Selectman Moser welcomed newly elected Selectman Bernard O'Grady to the Board. Mr. O'Grady will officially take office after he is sworn in tomorrow night.

Meeting adjourned at 9:16 PM.

Respectfully submitted,
Barbara L. Milkovits
Administrative Assistant