

July 23, 2013
Selectmen's Meeting/Approved Minutes

Present: Selectmen: R.P. McGinnity Chairman, C. Moser, B. O'Grady & A.A. Milkovits
Also present: Deputy Treasurer Garth Fletcher, & 1 resident

Agenda:

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

Appointments:

1. Road Agent Fred Greenwood discussed the following:
 - Re: "Loaner" Excavator – Highway Department was trying out a "loaner" Volvo mini-excavator. The machine was used to install drainage on Darling Hill Road and culvert work on Townsend Road. There's no jaw bucket but Road Agent Greenwood prefers "thumb" control. There's more pull than with a backhoe and seems to be an overall big improvement over the old backhoe. Selectmen inquired what the skid steer would be like loading trucks. The company that lent the excavator is planning on bringing a skid steer for the Highway Department to try. Selectman O'Grady has some concern for replacing one piece of equipment with three pieces and for the additional maintenance the machines may require. Also since the excavator is a Class A vehicle it will require a special license to operate. Mr. Greenwood felt that the benefit of using an excavator would be to save space on the roads as the machine worked, as there would not be an "arm" swinging out. Another option for the Highway Department would be to go to a larger backhoe. The current backhoe cannot handle the larger rocks and has really taken a beating for the use it gets. Two Board members favor purchasing a larger backhoe rather than an excavator and skid steer. They would rather have a machine that could still be used in the winter. The Highway Department needs at least a "430" size backhoe according to Mr. Greenwood. Selectmen recommend that Mr. Greenwood get prices on other machines, such as JCB and also other American brand backhoes. The Selectmen agreed that the Highway Department does need a new backhoe. Mr. Greenwood will research machines and other companies and report back to the Selectmen.
 - Re: Sign for Town Offices: Mr. Greenwood brought in a photo of the Mann House with a "photoshopped" granite sign on the lawn. Selectmen approved the sign but requested to have the Library also listed on the sign. The granite sign will have two "hand" arrows indicating the Town Office and Library directions. Mr. Greenwood will order the sign.
 - Re: Health Insurance Study Committee: Mr. Greenwood gave the Board updates on the Committee. One member, Shawn Jodoin, dropped out before the first meeting, citing other commitments. Member Maria Eaton works in the insurance field and is having a contact study the census for the town insurance and check on other companies to see if the rates are comparable with the ones from HealthTrust.
 - Re: Crack in the Wall at the Town Hall: Highway Department will measure the crack monthly and keep a log to track any further

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deterioration. Selectman Moser will research the Heritage Foundation for grants to preserve the Town Hall.

2. Re: Quarry Conservation Easement and Proposed Memorandum of Understanding: Conservation Commission members: Liz Fletcher, Barbara Devore and Rob Doyle met for an update from the Board on the status of both the easement and the M.O.U. (At this time no word had been received from Attorney Drescher on his review of the M.O.U.) Selectman Moser explained that the M.O.U. clarifies the financial responsibility for any costs related to any issues that the Forest Society, upholding the easement, could require the town to mediate. The quarry conservation easement does expose the town to more liability than a straight land purchase. The Con Com has a source of revenue and will be responsible for maintenance and failure of the same. If the Forest Society ever sued the town, the Con Com would be responsible for the defense. Other issues discussed were managing the need for "carry in - carry out" at the quarry. Member Liz Fletcher stated that if the trash became overwhelming that the Con Com would ask the Highway Department to do the clean up. This work would be paid out of the Conservation Commission budget. Road Agent Greenwood who was present for the discussion stated that the Highway Department is paid to work on highways. Mr. Greenwood explained that the HD has no problem helping any group, committee or board. It's not the payroll dollars; it would be the time not spent working on the roads. He does not want to lose time on the roads. A suggestion was made to have the HD part-time employees do any extra work at the quarry or have available full-time HD employees do the work after hours and be paid overtime. Note was made that the Fire Department conducted a fire drill at the quarry. There didn't seem to be too much trash on the quarry grounds. After more discussion, Chairman McGinnity made a motion that the Selectmen accept the gift of the quarry property burdened by the conservation easement as presented. This motion was seconded by Selectman Moser and voted unanimously in the affirmative by the Board of Selectmen. The Conservation Commission will move forward to acquire the quarry and have the Forest Society draw up the latest amended version of the Conservation Easement. Con Com member Barbara Devore gave an update on the information from Police Prosecutor Martha Jacques on the developing policy for the rules for the quarry. These will also be reviewed with the Police Chief. The Selectmen will then hold a public hearing on the quarry rules before final acceptance as a town ordinance.

Selectmen reviewed the following:

Old Business:

1. Re: Minutes – Motion was made, seconded and voted in the affirmative to accept the Selectmen Meeting minutes from July 9, 2013 as written.
2. Re: LGC HealthTrust refund – confirmation that surplus share will be credited to the September 2013 invoice.
3. Re: School events/Traffic control – copied email from Police Chief Barry Hutchins to the School Superintendent concerning the control of traffic at school sponsored events. Chief Hutchins recommended that the Superintendent notice

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the Selectmen on these events, who in turn will contact the Police Department for the appropriate traffic control response.

4. Re: Joshua Garfinkle/Signage Violation & Building Permit Violation: Selectmen recommend checking with the Board of Adjustment Clerk and the Building Inspector to see if Mr. Garfinkle has complied with their directive. If Mr. Garfinkle has not responded to either, then this issue will be forwarded to Attorney Drescher for his review.

New Business:

1. From Thomas Hildreth/McLane Professional Association: RSA 91: A Request for minutes, and materials regarding Walter Alford, Starch Mill Road issues. A reply to a 91: A request must take place within five days of receipt of request. Some of the requested items will require lengthy research and are not readily available. This matter will be forwarded to Attorney Drescher for advice on how to address this request. Meanwhile a response will be sent to Attorney Hildreth to inform him that the Selectmen will respond within ten days with what materials they are able to provide.
2. From Tax Collector/Town Clerk:
 - 2013 civil forfeiture list – 6 dog owners have not responded to requests to license their dogs within the final time limit. This list will be sent to Police Prosecutor Martha Jacques for court action against the dog owners.
 - Activity sheet for Victor Tweedy, Brookline Road – Mr. Tweedy still owes 2009 and 2010 taxes on Lot G-29, a rental property. He was on a payment plan with the Tax Collector that allowed him not to be deeded, but has not made any payments since February. Mr. Tweedy told the Tax Collector that he intends to sell the property but said he will maintain his commitment to pay the taxes until the sale occurs. After more discussion, the decision was to send Mr. Tweedy a letter informing him this is his final notice. Since he has defaulted on the payment plan, he has thirty days to pay all of the 2009 property taxes and interest on lot G-29. If he fails to do so then the Board will initiate the deeding process on that property. A reminder will be sent to the Tax Collector that the Selectmen need to be made aware of any other non-payments by property owners. The Board will request a monthly spreadsheet listing the property owners and their payment plans and payments made.
 - Request for registration refund – Deputy Town Clerk mistakenly registered the wrong trailer for Carol Iodice. The Board approved this reimbursement request.
 - March 2013 Town Meeting Minutes
3. Building Permits: #13-17 Schulman, lot L-2-2, addition; #13-21 Rodriguez, lot A-21, deck. Selectmen recommended that the Building Inspector attach a plot plan to the Building Permit application to show well, septic and property bounds.
4. Oil Burner Permits: 901 Valley Road & 736 Valley Road – There is no 901 Valley Road. This permit will be returned to the Assistant Fire Chief for an address correction.

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5. From Superintendent Jim McCormick – The school has 16 used computers that will be discarded, which are being offered to the town first. Since the town offices' computers have been recently upgraded, the Selectmen will decline the offer of the School's used computers. A letter will be sent to Mr. McCormick thanking him for the offer.
6. Police logs
7. Insurance quote request from Towle: This information will be given to the Health Insurance Study Committee.
8. Conservation Commission minutes from their July 10, 2013 meeting.
9. From the Board of Adjustment– Findings of Facts for the McDonalds Variance Hearing– This application was denied as applicants were absent from the hearing and no abutters appeared.
10. Other:
 - Webinar information on Right to Know Law & Public Meetings and Minutes.
 - Other correspondence: Shawn Jodoin, Brookline Road brought printouts of a website used by the State Highway for guidelines on road maintenance, etc. This information will be forwarded to Road Agent Fred Greenwood.

Executive session was called at 8:23 PM by Chairman McGinnity for a personnel issue. Present were the Board of Selectmen and A.A. Milkovits. A letter was received from the Chairman of the Library Trustees, stating that the Trustees had voted to give the Library Assistant position a one week (20 hour) paid vacation. Selectmen will respond to this letter to inform the Trustees that since the Library Assistant position is a twenty hour part-time position then according to the Town of Mason Personnel Policy, part-time employees are not eligible for benefits, including paid vacation or personal time. A copy of the portion of the Personnel Policy which defines part-time employees will accompany the letter. Session ended at 8:28 PM.

Selectmen signed the following:

- Denied an abatement for Calphams Bedford Holdings, LLC, lots A-22-3, A-22-9 & A-22-10 – Land values had been adjusted per settlement agreement dated January 22, 2013.
- Approved abatement of 2012 property tax for Linda DeForrest, lot D-2-1. Reduced assessment from \$438,100 to \$400,900.
- Approved abatement of 2012 property tax for R. Peter & Pamela McGinnity, lot D-26. Reduced assessment from \$398,800 to \$329,800. Chairman McGinnity recused himself from approving this abatement for his own property.
- Approved abatement of 2012 property tax for Marianne LaFlamme, lot E-17-2. Reduced assessment from \$205,300 to \$203,700.
- Approved abatement of 2012 property tax for Janice Pucko, lot F-52-1. Reduced assessment from \$317,600 to \$309,100.
- Approved abatement of 2012 property tax for Mueller Revocable Trust, lot G-31-1. Reduced assessment from \$259,800 to \$207,400. Selectman

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Moser recused himself from this abatement approval as he has conducted business with the Mueller Trust in the past.

- Approved abatement of 2012 property tax for Thomas Mitchell Rev. Trust, lot H-61-4. Reduced assessment from \$386,170 to \$368,744.
- Form for Application for Reimbursement for property taxes for State Forest Lands.
- LGC HealthTrust form to change the policy for the probationary period for Health and Dental coverage to sixty days. Selectmen had previously voted to approve this change to be implemented in the Personnel Policy.
- Intent to Cut forms: #13-293-08 Dubois, lot G-51, #13-293-09 Colleton, lot K-13, #13-293-10 Ziminsky, lot H-49-4, #13-293-11 Doonan Family LLC, lot K-1, #13-293-12 Farwell, Lots H-39, H-40, H-43.

Meeting adjourned at 8:55PM.

Respectfully submitted,
Barbara L. Milkovits
Administrative Assistant