



**Town of Londonderry, New Hampshire**  
**Trustees of the Trust Fund - Meeting Minutes**  
**September 21<sup>st</sup>, 2023 11:00am**  
**Sunnycrest Conference Room**

- 1) Call to order 11:05 AM, Justin confirms meeting is being recorded.
- 2) Introductions and attendance
  - a) Trustees:
    - i) Jonathan Esposito
    - ii) Jim Green
    - iii) Cindi Rice-Conley
  - b) Town Staff
    - i) Justin Campo, Finance Director & bookkeeper to Trustees
    - ii) Kirsten Hildonen, Administrative Support Coordinator
  - c) Citizens for public comment:
    - i) Richard Bielinski 89 Hall Rd
    - ii) Ann Chiampa 28 Wedgewood Dr
- 3) Financial Business:
  - a) Discussion opens with handing out copies of August accounts. Account information was from Cambridge Trust due to technology/authenticator issues with TD Bank per Justin. MS-09 MS-10 Forms were submitted by the bookkeeper with Trustee's unanimous approval. Original submission was rejected by the State due to processing issues with checks. Justin worked to remedy this & the MS-09 & MS-10 Forms were accepted upon resubmission.
  - b) Trustees reviewed & approved Order 2023-12, an Order Relative to the Expenditure of Reclamation Trust Funds, approved 9/11/23 by Town Council. The order & backup was presented by bookkeeper, motion by Jonathan Esposito to approve, Second by Jim Green, All trustees voted in favor, none against.
  - c) Trustees reviewed & approved Order 2023-12, an Order Relative to the Expenditure of Reclamation Trust Funds, approved 9/11/23 by Town Council. The order & backup was presented by bookkeeper, motion by Jonathan Esposito to approve, Second by Jim Green, All trustees voted in favor, none against.
  - d) Justin advised Trustees Investment Policy approved on 07.20.23 by Trustees was submitted to the State for record
  - e) Justin will be attending the Cemetery Meeting this evening, 09/21/23. Cemeteries are maintained by the Town. Cemetery Trustees normally approve a budgeted amount of \$17,500.00 authorized reimbursement from the cemetery Trust funds to the Town for expenses incurred during the year. Due to changes in delegated authority for Trustees in recent fiscal years, Justin is requesting authority from the Cemetery Trustees at their next



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public meeting, in addition to Trustees of Trust Funds, to approve this transfer. Motion by Jonathan Esposito to authorize Justin as our bookkeeper to move these funds, seconded by Jim Green, All Trustees voted in favor, motion passes.

f) \$124,000 in cemetery income is available to be spent. Justin will be discussing with Cemetery Trustees for the \$17,500.00 reimbursement figure to be increased to \$25,000.00 to offset the burden to the taxpayer and to account for increased maintenance costs. To be potentially increased in FY2024.

g) Joanne Estey fund, income was discussed, bookkeeper is anticipating a request for a check to be distributed from Cambridge Trust to Mary Lou Chamberlain, so that she can draft an award letter and send the check/award to the award recipients.

#### **4) Administrative Business:**

a) Kirsten began to speak on 91A, definition of a Quorum as it relates to a 3 person board. Trustees must be careful to not host an illegal public meeting, as two Trustees discussing official business can be considered a quorum in accordance with 91A. Information can be disseminated utilizing the BCC function of Microsoft email, this would prohibit accidental "reply-alls" and help reduce accidental communication that could be construed as an unlawful public meeting. Jim Green requested clarification & restated the policy, at which time Kirsten affirmed this understanding. If a decision is required ASAP such as moving a meeting time, better to communicate to Justin & Kirsten and they can function as a go between to avoid an illegal public meeting.

Jim Green provided an example of agenda discussion. Kirsten clarified that we can send information but cannot discuss the merit of whether an item should be added to the agenda. Jonathan asked if use of BCC excessively prohibits citizens from seeing who is copied on public correspondence. Kirsten clarified that the BCC line would be visible from the senders side, but later stated she would confirm with Town IT.

b) Trustees reaffirmed that all trustees are committed to their public offices, that we will attempt to check emails at least once weekly, with the understanding that no presumptions will be made if Trustees overlook checking their emails for a period of time.

c) Jonathan asked whether Trustees wished to further pursue source documents for Trusts that we do not currently possess, as the State did not produce any new documents. Trustees discussed whether we should have a working session or meeting to review 2-3 boxes of trust related documents, before we further entertain discussion from the State.

d) Trustee's discussed 91A compliance in reviewing correspondence sent out on behalf of the Trustees, whether or not it needed to be reviewed, whether such review would constitute a public meeting. Kirsten provided guidance on 91A, suggesting that a motion to empower a Trustee to make an inquiry, not a decision, on the Trustees behalf, should be sufficient to



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approve for the Public Record any follow on correspondence. Kirsten clarified that other Board's typically empower one another to make communications without the necessity of reviewing the individual email verbiage.

e) Jim made a motion for Jonathan to pursue inquiry with the State. Cindi seconded. All trustees in favor, motion passes, Jonathan will continue pursuing inquiry with the Charitable Trusts Unit and the State of NH archive. Jim discussed that we will continue to move forward in a collegial manner and allow for Trustees to exercise their duties, addressing any individual issues that arise if needed.

f) Justin asked for a motion to approve July 20th 2023 meeting minutes, if there were no questions regarding input. Trustees discussed providing less physical copies to save paper. Motion by Jonathan to approve 7.20.23 draft minutes, Jim seconds, all trustees vote in favor, none opposed, Motion passes, minutes from 7.20.23 are finalized for public consumption/record.

f) Jim recommended that we schedule our next public meeting to enable us to further peruse documents in the Town's possession, perhaps each taking a box to peruse.

5) Intermittent Public Comment:

i) Ann Chiampa asked about an agenda, which is not required.

ii) Ann Chiampa asked Justin to raise maintenance concerns to Cemetery Trustees during his attendance at their public meeting this evening. Justin agrees.

iii) Richard Bielinski asked about increasing the Trustees of Trust Funds to 5. Justin stated he was not clear on the procedure of that. Jonathan commented that this may be authority delegated to the Town. Justin and Kirsten stated that they can examine this, Kirsten stated she would follow up with Richard in a reasonable time

iv) Richard Bielinski offered public suggested in response to Admin business that we use technology as a way to avoid using the BCC line to attempt to comply with 91A. Kirsten agreed that this is a future step the Trustees may move in, but the goal is closest immediate compliance. Jonathan asked if Sharepoint or a similar resource would be available. Justin & Kirsten clarified that internal servers/folders are currently utilized but stated that further discussion would occur.

v) Richard offered public comment that he feels the Trustees are unnecessarily complicating the matter of individual correspondence.



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6) Next meeting date: November 2<sup>nd</sup> 2023 11:00AM

Trustees discussed meeting in 6 weeks to review documents held in possession of the Town. Justin stated that he may not be available to attend as he may have budget commitments. Motion by Jim for Trustees of Trust Funds to meet again in Public Meeting on November 2<sup>nd</sup>, 2023 at Town Hall, meeting area to be specified in public posting at that time. second by Jonathan, all in favor, motion passes.

Motion to Adjourn by Jim, second by Cindi, all Trustees in favor, motion passes, meeting is adjourned.