

ALTON BOARD OF SELECTMEN

Minutes

June 23, 2014

6:00 PM

1 Monument Square

Alton, NH 03809

**Approved: July 7, 2014**

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R. Loring Carr convened the meeting at 6:00 PM and led the assembly in the Pledge of Allegiance to the Flag and a Moment of Silence. The following members and staff were present:

R. Loring Carr, Chairman  
Marc DeCoff, Vice Chairman  
Lou LaCourse, Selectman  
David Hussey, Selectman  
E. Russell Bailey, Town Administrator

Cydney Johnson, Selectman was absent.

**Approval of the Agenda**

R. Loring Carr requested adding two (2) items to new business #5 discussion on a Septic failure from 7 years ago in which we are just being made aware and #6 Board of Health having the Building Inspector vote as a member of the Board of Health.

David Hussey made a motion to approve the agenda as amended and Lou LaCourse seconded with all in favor of the motion.

**Announcements:**

- Beginning this week Stockbridge Corner Road is scheduled to be closed for one (1) week; this is in relation to the State project on Route 28 heading towards New Durham.
- The Fireworks display will be on July 3<sup>rd</sup> at 9:20 PM; Rain date July 5<sup>th</sup>
- All town offices will be closed on Friday, July 4<sup>th</sup> for the holiday.

**Appointments:**

Theresa Paige, Regional Transportation Coordinator from Community Action Program for Belknap and Merrimack Counties is employed by a grant through Mid-State Regional Coordinating Council (RCC) was present to give an overview of the services provided.

In 2007 a review of public transportation was enacted, RSA 239:b which created a statewide council on public transportation. In 2009 each region created a Coordinated Transportation Plan. With many low population areas in the Belknap and Merrimack Counties excluding some towns, bus routes are not a viable option therefore volunteer driver programs work well such as the Caregivers of Southern Carroll County and Vicinity. There is a need for people to get where they need to go; trying to make sure that a plan is implemented. There was a brief discussion on busing needs in the Town of Alton

## **Selectmen's Committee Report**

R. Loring Carr reported on the Old Home Weekend Committee who met and has added a few activities. There is also a possibility of using the elementary gym opposed to the Railroad Station.

David Hussey mentioned that the committee should try to get the Highland Games to participate, which would be a huge draw to the events; possibly next year.

## **Town Administrator's Report and Updates**

### Annual Legislative Policies by the Municipal Association

Proposed legislation was provided to the Board from the Municipal Association which will be pushed by them based on the vote in September. If there is anything the Board would like to promote it needs to be by 8/15/14 in order to be introduced and voted on at the Municipal Conference on 9/26/14. E. Russell Bailey offered to attend to represent the town and vote. Generally the Board reads over the proposals and discusses them at the next meeting then appoints someone as a representative and notifies the Municipal Association as we are only allowed one (1) vote.

### Letter from Underwood Engineering representing the Town of Wolfeboro

A feasibility study is being done for the Town of Wolfeboro to connect to the Winnepesaukee River Basin's sewer collection system via the network in Gilford. There are options such as a land route which would run down Route 28 through Alton Bay up Route 11 to Gilford at Ellacoya or an underwater route down into the Bay cutting across the neck where the Bay ends. It will not be our decision unless we are a full participant. Wolfeboro is funding this study entirely on their own, but needs to know the long term interest of the town; we need to look at this with our best interest in mind. This will not be an easy decision and is a big dollar item which will need a lot of consideration and the Board's feedback regarding our participation. David Hussey agreed that this would be very expensive but it would be the only thing that would allow Alton to expand its business base into town. The Board really doesn't have the authority for this; it would need to go on as a Warrant Article at Town Meeting. A response was requested within 30 days from the dated letter of June 17<sup>th</sup>. Depending on participation in this venture; would determine the size of the piping that needs to be run. The shortest route to an existing line is through Alton on the State Right of Way to Gilford. We would need to get rough numbers per day for potential connections. This should be a decision of the town people.

R. Loring Carr made a motion to respond to the Wolfeboro proposal with the understanding that it has to be the town people's vote for the final say and Marc DeCoff seconded with all in favor of the motion.

Lou LaCourse questioned who would obtain the estimates of the flowage with E. Russell Bailey responding that it could be obtained in house by taking population numbers plus other factors. These would be very rough numbers.

## 2014 Legislation

The 2014 Legislation has ended with nothing major this year; below are some of the key points:

- If you receive unanticipated funds such as grants or money not planned for you had to have a Public Hearing if it was 5K or more; this changed to 10K or more.
- The Budget Committee has been given an additional week to sign the budget (MS7).
- If the Operating Budget is amended on the floor at the Deliberative Session effective now, we will be required by law to show the recommended vote.
- The Recreation law has passed on the small RV units in seasonal parks. They cannot be taxed if the vehicles are registered. Sheds, decks and anything else may be taxed; effective April 2015.

## State DOT Maintenance Route 11

A schedule was provided to the Board regarding State DOT maintenance on Route 11 from Minge Cove Road to Butler Drive, the signage should already be in place with plans to remove the paint lines, crack fill and place a chip seal overlay on the road. It was suggested to look into the chip seal process opposed to full asphalt.

David Hussey made a motion we go as a committee to watch this being put down. There was no second.

A call was received from Bell & Flynn who would like to talk with the Board regarding a new process on roads. A handout was provided to the Board on liquid asphalt injections to harden the base. Possibly more roadwork could be done at a lesser cost and extend the life of the roads. They should be brought in for a presentation.

## Bids for Survey Work

The bid for survey work was previously approved for Lily Pond Road, Woodlands Road and Chestnut Cove Road. Authorization is needed for E. Russell Bailey to sign the agreement with Holden Engineering and to give them their deposit of 5K towards the survey work.

David Hussey made a motion to authorize E. Russell Bailey to sign the agreement for Holden Engineering and give them their deposit of 5K towards the survey work and Marc DeCoff seconded with all in favor of the motion.

## **Public Input I**

None

## **Approval of Selectmen's Minutes**

Marc DeCoff made a motion to approve the minutes of June 9, 2014 Public Session I as presented and David Hussey seconded. Vote was 3 approved; 0 opposed and 1 abstention, Lou LaCourse.

Marc DeCoff made a motion to approve the minutes of June 9, 2014 Non Public Session releasing items #1, 2, 3 and 4 and David Hussey seconded. Vote was 3 approved; 0 opposed and 1 abstention, Lou LaCourse.

Marc DeCoff made a motion to approve the minutes of June 9, 2014 Public Session II as presented and R. Loring Carr seconded. Vote was 3 approved; 0 opposed and 1 abstention, Lou LaCourse.

### **Old Business:**

#### Stockbridge Corner Road Update

There have been no calls received on the closure of Stockbridge Corner therefore the notification must be working. R. Loring Carr noted there is a slight problem; approximately thirty (30) vehicles have gone up Chamberlain Road from the New Durham side and need to turn around finding out it is a dead end road. We can ask the construction company to have signage put up for the dead end. When the road was re-done the dead end sign was never put back up by the Highway Department.

Marc DeCoff made a motion to have Ken Roberts put a dead end sign back up on Chamberlain Road and Lou LaCourse seconded with all in favor of the motion.

#### Project Status Update

**Town Hall Roof:** The equipment is outside the building with parking on Depot Street blocked; a schedule of work was provided to the Board. There are concerns regarding the rotting wood on the dormers and we won't know until they get in there to determine the amount of damage; they may have to remove the windows. Everything that is being replaced will be a vinyl/composite product for minimal maintenance in the future. The shingles and color have been chosen with the work estimated to be about a month. During certain times Depot Street may need to be closed or traffic re-routed for safety purposes.

David Hussey made a motion to close or re-route traffic on Depot Street for safety purpose as deemed necessary and Marc DeCoff seconded with all in favor of the motion.

**Road Reconstruction:** Work was approved for Alton Mountain Road and Frohock Brook Road and also minor repairs to Dudley Road. A Public Hearing needs to be scheduled for Frohock Brook Road and Alton Mountain Road. The consensus of the Board was July 21, 2014

David Hussey made a motion to schedule a Public Hearing for Alton Mountain Road and Frohock Brook Road on July 21, 2014 and Marc DeCoff seconded with all in favor of the motion.

A sample letter was provided which will be sent to the residents on these roads.

For next year we have Lily Pond Road, Woodlands Road, Chestnut Cove Road and Bay Hill Road. If Bay Hill Road is still on target we will need to talk with the Water

Department as the main water line from the tank runs down in that area and it is approximately twenty (20) years old; this would be the time to look at this.

For the Board's information a spreadsheet was provided to the Board tracking the road reconstruction work. We have spent approximately 183K on road work this year; this will be updated weekly and provided on a monthly basis to the Board.

**Sidewalks:** The sidewalk project will begin again after Labor Day; we still need to finalize a couple of easements and should be able to provide a more detailed plan by the end of July on the sidewalks and schedule.

David Hussey questioned if the town was digging the sidewalks up, he would like to see the gravel tested before hauling the materials out believing that it is not necessary to dig out the materials 6' deep underneath. The telephone company is currently removing their lines then MetroCast will come in to remove their items then the poles will be removed for the finalization with the State on the widening of the intersection. R. Loring Carr mentioned looking at the lighting poles at the High School with E. Russell Bailey bringing this back to the Board at the next meeting.

**Senior Center:** Based on the approval of the bids received for the Senior Center, the way the project will work is as follows: we will be providing the materials for the work to be done then the foundation will be put in. With several volunteers and contractors the biggest issue will be coordinating everyone. Once the bids are approved a meeting will be scheduled to obtain a timeline of the work to be completed. The contractors and volunteers will need to have insurance or if they are listed as volunteers they can be covered under our umbrella but the insurance company must be notified ahead of time. It was noted that the regular contractors have their own insurance.

#### **New Business:**

##### Fire Department Request; Boot Drives

Marc DeCoff made a motion to approve the Boot Drive for the Fire Department for July 13, 2014, NASCAR weekend from 6:00 AM to Noon and for November 28, 2014 from 8:00 AM to 2:00 PM

R. Loring Carr amended the motion to approve the Boot Drive for the Fire Department for July 13, 2014, NASCAR weekend on Route 140 from 6:00 AM to Noon and for November 28, 2014 from 8:00 AM to 2:00 PM and David Hussey seconded with all in favor of the motion.

##### Raffle Application; Alton Central School Class of 2016, Red Sox Tickets

Marc DeCoff made a motion to approve the Raffle Application and David Hussey seconded with all in favor of the motion.

##### Senior Center Foundation Bid and Material Only Bid

The bids were opened and the results were provided for the foundation and material bids for the Senior Center. The concrete re-bid had three (3) bidders:

1. Perkins Concrete                      \$15,542.50
2. T & L Concrete                        \$13,650.00
3. E. Guimond Construction        \$24,785.00

The recommendation is the low bidder conditional on the reference checks.

Marc DeCoff made a motion to approve T & L Concrete in the amount of \$13,650.00 conditional upon the references and David Hussey seconded with all in favor of the motion.

There were two (2) bidders for the materials to build the shell for the Senior Center:

1. Brock's Plywood Sales            \$35,272.88
2. Middleton Building Supply      \$30,886.82

The recommendation is the low bidder.

Marc DeCoff made a motion to approve Middleton Building Supply in the amount of \$30,886.82 for the Senior Center 36x40 addition and David Hussey seconded with all in favor of the motion.

Auctioneer Bid

There were three (3) bid proposals received; a write up from the Assessor along with a summary was provided to the Board. All have an option to provide us, at no cost, based on the lots selling at a certain value, basically the buyer pays a fee to the Auctioneer and if there is no purchase and the Auctioneer has spent money on advertising etc. or if it sells below the cost, there would be a minimal fee. There is a recommendation from the Assessor which needs to be discussed further in Non Public Session. Once all is discussed and looked at a decision may be made. The way the original RFP was written we will perform interviews, it is recommended to interview one or more of the candidates. The Auctioneers know of the properties that were listed on the Warrant Article. We should go through the properties first to look at the values prior to the interviews.

A discussion transpired on setting up at Workshop with the potential Auctioneer but no decision was made at this time.

E. Russell Bailey recommended that the Board recess as Selectmen and re-convene as the Board of Health.

**BOARD OF HEALTH**

R. Loring Carr made a motion to recess as Board of Selectmen and convene as the Board of Health and David Hussey seconded with all in favor of the motion.

Septic Failure

R. Loring Carr brought forward an issue from the last meeting which needs to be addressed. The issue is regarding a septic failure on Spring Street from seven (7) years

ago that had a plan developed. While reviewing the property it was discovered that it had been rented out to a family member; nobody should have been living there, it seems that there is a hole in our process. It was noted that if we don't know about it, there is nothing that we can do. If the Building Official acting as the Health Officer knows of a failure he has the authority to notify the homeowner to get the system fixed; the question here is did we know about this. There is no process unless someone complains or says something about it. Plans were drawn seven (7) years ago and there was no notification to the Town by the Engineer of the failure. This is a safety issue especially for the abutting property owners. The concern now is how contaminated is the glacial silt that the new system will be going into. There is a gap in communication; however, unless the Health/Code Officer is notified he can't act. This brought forth the question of, does Tom Varney or an Engineer have a legal responsibility to notify the town. We don't know what our authority is in regards to requiring notification if they become aware of an issue. E. Russell Bailey will ask John Dever to look into the history of the property, the health regulations and where the authority lies to require someone to notify us if they become aware of this type of situation then report back to the Board.

#### Board of Health; Building Official Voting

In the Health Regulations adopted by the Board of Selectmen quite sometime ago is that the Health Officer is a member of the Board of Health and such is a voting member. The State law also references that he is a member of the Board of Health and that he is a full member.

E. Russell Bailey read the State Law as follows: *"The Health Officer shall be the secretary and executive officer of, and, with the Selectmen, shall constitute the local Board of Health for the town"* and interprets that as the Building Official is a full member of the Board of Health and will vote according to RSA and Town Regulations which reads the same. Both Russ and some of the Board members don't agree with this as it presents a possible conflict for a hired employee.

David Hussey brought forth the Clean Water Solution Systems and possibly not granting any more waivers mentioning that the other Board is the one who put the stipulation in place in order to protect the lake. We have people paying thousands of dollars in taxes who will be very angry when the lake is contaminated. This law was made, should we stick to it, and say anything within 250' of the lake; no waivers granted.

R. Loring Carr noted to his recollection, that anything that has been in the fields has not been granted; we have allowed the tanks to be closer; they must be sealed.

Clean Water Solution Systems have been required in the past for properties that are not on the lake due to them being environmentally unstable. In the future we need to be cognizant of where we place these systems.

Lou LaCourse stated that the Board needs to have an independent person who will give us the necessary information to make the decision on the system who is not part of the Board.

E. Russell Bailey stated that the Board needs to rely on the Health Officer for the best information and judgment based on his knowledge of what's required.

R. Loring Carr made a motion to recess as the Board of Health and reconvene as the Board of Selectmen and Marc DeCoff seconded with all in favor of the motion.

**Public Input II**

None

**Non-Public Session:**

R. Loring Carr made a motion to enter into non-public session pursuant to RSA91-A:3,II(a) personnel (c) character/reputation and (e) claims/litigation and Marc DeCoff seconded with all in favor of the motion.

The meeting adjourned at 7:30 PM.

Respectfully submitted,

*Mary K. Jarvis*

Mary K. Jarvis  
Recording Secretary