

ALTON BOARD OF SELECTMEN

Minutes

July 17, 2017

6:00 PM

1 Monument Square

Alton, NH 03809

Approved: August 7, 2017

Cydney Johnson 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:

Cydney Johnson, Chairwoman
Virgil MacDonald, Vice Chairman
Philip V. Wittmann, Selectman
John Markland, Selectman
Reuben Wentworth, Selectmen
Elizabeth Dionne, Town Administrator

Approval of the Agenda

Virgil MacDonald made a motion to approve the agenda as written and Reuben Wentworth seconded with all in favor of the motion.

Announcements:

Old Home Week Events begin on August 12th and continue through August 20th.

Appointments:

Zoning Board of Adjustment (ZBA) Update

Steve Miller, Chairman of the ZBA approached the Board to give a status update from his Board. He provided the following statement:

Zoning Board of Adjustment

Steve Miller Chairman
Paul LaRochelle Vice Chairman
Lou LaCourse Clerk
Paul Monziona member
Tim Morgan member
Frank Rich alternate
Reuben Wentworth selectmen's representative
2 alternate vacancies

A zoning law is a community's guide to its future development. That is its purpose. The power and duties of the ZBA are specifically set forth in state statutes. All zoning boards of adjustments are directly given appellate jurisdiction by state law. Appellate jurisdiction is the power to hear and decide appeals from decisions of those officials charged with the administration and enforcement of the zoning ordinances or local law. The ZBA is an administrative body

of limited jurisdiction and powers designed to function as a "safety valve" to relieve the pressure or rigid and inflexible provisions of the zoning regulations.

A person may want to appeal to the ZBA for two basic reasons: First he or she may disagree with a decision the enforcement officer has made or an action he has taken. Second, the appealing party may believe that an exception (variance) to the zoning laws should be made for his or her property.

The ZBA meets on the first Thursday of the month at 6pm in this room. March to July

	2016-2017	2017-2018
Variations	9	7
Special Exceptions	10	7
Appeals	0	1
Total Cases	19	15

- Decisions Impact to Property Values — positive by board taking it into thoughtful consideration on most every decision.
- Impact on affordable housing — no decisions made concerning this issue
- Impact on land use — positive -decisions have remained within the constraints of the applicable zoning laws and statutes
- We have had no appeals resulting in the turnover of a board adjudication
- Use of town attorney has been minimal and of no impact to the Board's submitted budget
- There have been no issues of note with the town planner or code enforcement officer
- We are thrilled and have no issues with either the town planner, planning board, town department heads, the selectmen's representative, or the town administrator. All have been extraordinarily cooperative in all matters
- Special thanks to Jessica Call for her outstanding talent in transcribing meetings, availability, and assistance to the board
- Special thanks to John Dever who is at all times prepared and extraordinarily helpful in all matters brought before the board
- We have had no complaints that I am aware of from the public, town citizens, or transient visitors
- We have been pro-active in recommending changes to the Alton Zoning ordinances and are satisfied with our citizens response to our recommendations both at the deliberative session and the voting booth.
- The ZBA board would like to thank the Board of Selectman and Reuben Wentworth the selectmen's rep. for their support in the past and future concerning all areas contributing to the benefit of Alton and its residents.

Is there anything the Board can do going forward to help you make Alton better in any way?

#variance seeks permission to do something not in conformance or violated the zoning regulations.

#special exception seeks permission to do something that the zoning ordinance permits only under certain exceptional circumstances.

The Board thanked Steve Miller for his report and time.

Library Trustees Update

John Pohas, Library Trustee along with Holly Brown, Librarian approached the Board to give a status update from the Library. He provided the following statement:

07/17/2017

**To the Board of Selectmen
PO box 659
Alton, NH 03809**

As of this date, all the major repairs and upkeep has been mostly accomplished. As I have been reporting in the years previous, we have a new roof, all exterior pine and siding needing replacement is done, and the entire exterior scraped, sanded, caulked, and painted. The entire interior of the 1st floor has been painted, with little left to do. The lower levels are scheduled for painting in the fall. We are currently looking at installing air conditioners in the lower level. Just recently we have upgraded our security system, fire, smoke, and carbon monoxide detectors.

Holly has been busy bringing the Library into the 21st century. A very impressive Smart Board has been installed in the meeting room. All the old meeting room chairs have been replaced with new upholstered chairs. Upstairs Holly has been ordering new children's furniture. Chairs, stools, tables, desks. I stand with the Trustees, that it is important to get the kids reading at a young age that will follow them throughout their lives. Keeping them interested and happy will keep them coming back. An awesome children's center will hopefully accomplished that.

Recently, Holly has installed a new online catalog through the Apollo Automated System. You can go to gilman.biblionix.com to;

- *Gain access to your card*
- *Renew or reserve materials*
- *Browse the Gilman Library catalog*
- *Check out databases statewide*
- *Utilize the following resources*

1. *Overdrive, NH downloadable books, audio books, and e-books*
2. *Project Gutenberg, 30,000 free e-books, use your own device to download.*
3. *LibriVox, Public domain recordings of public domain literature.*
4. *Geni, Solving the problem of Geneology and building the definitive family tree.*

Other programs available through the Gilman Library;

1. *The Summer Reading Program: Build a Better World Through Reading*
2. *Gabbie "text a librarian" Overdue, reserve, pre-due texts*
3. *Museum passes: Library card holders, in good standing, will be reimbursed up to \$20 for museum visits.*
4. *Theater Thursday Matinee*
5. *Gilman's Writers Group*
6. *Computer Basics for Beginners*
7. *Children, Youth, Teen activities;*
 - Ginnie the reading dog*
 - Story times*
 - Lego club*
 - Movie night*
 - Nany Rosebud, Storyteller*
8. *Library clubs and groups;*
 - Alton Book Chat*
 - Gilman Library Writers Group*
 - Snacks and Crafts Group*

I apologize if I have left anyone out. The Gilman Library is a jewel in the midst in our small Town of Alton. I am proud to have served as a Trustee these past years.

In addition, Mr. Pohas announced the he has tendered his resignation as a Trustee effective tonight. He thanked and is so proud of the Library and happy with everything that has been done there and he voiced, "He will miss it."

Virgil MacDonald questioned Holly in reference to the installation of air conditioning. Holly responded "yes". John elaborated further that they will be similar units to what the Town Hall has for both heat and air. Holly stated that the Library will desperately miss John however he has offered his services for support and appreciate that offer. Packets were provided to the Board which are the same that are handed out to any new member of the Library these define what is available to the members. We are pleased and excited to say that the Friends of the Library Group are going strong again with new officers.

The Board thanked John Pohas for his years of volunteer service.

Attorney Francis Bruton representing Colchester Properties, LLC; Involuntary Lot request to unmerge Map 39 Lot 11

Cydney Johnson explained the appointment process.

Attorney Francis Bruton, representing Colchester Properties, LLC and Henry Boyd, Jr., NH licensed land surveyor from Millennium Engineering were present to discuss this matter. Attorney Bruton provided a copy of the tax card for the property to the Board members. The originally submitted request dated 3/29/2017 provided a copy of a plan submitted titled Plan of Lots, Center Section, Cascade Terrace; this plan is on record with the Belknap County Registry of Deeds. The plan is dated 9/25/1961 in the center of the map there are lots 10, 11, 12, 110, 111 and 112. The tax map shows those exact same numbers as represented as lot 11 on tax map 39; lot 11 is comprised of 10, 11, 12, 110, 111 and 112. This is how the tax map has depicted lot 11 throughout the years. The tax card treats this as lot 11 as does the tax map; treating them all as one lot. There is one deed and as with any deed in NH there can be multiple lots. None the less there is one map that shows these separate lots and with each deed where a conveyance was made reference is always made to these separate numbers 10, 11, 12, 110, 111 and 112. Even to this day in a conveyance all of these lot numbers are referenced. The un-merger statute was adopted in 2011; pointing out that within RSA 674:39-aa is the definition of an involuntary merger which says: " it means lots merged by a municipality action for zoning, assessing or taxation purposes without the consent of the owner". We are not suggesting that the Town did anything wrong but when the plan was obtained a unique thing was done. They treated it as lot 11 but they continued it even on the tax map to make reference to the other lot numbers that really comprise lot 11. They are seeking an un-merger to recognize that these are separate lots; the tax map does that. Basically having separate tax cards for each lot, that is what an un-merger is. Referring to the Assessor's question is why didn't someone from long ago from the 60's onward ask to do this. Typically in New Hampshire there were town's that would merge lots. In Alton it wasn't proactively done but the net effect is that there was a merger because it was put on as only one lot. Some town's would proactively put non-conforming lots together. In 2011, this statute was created allowing that if this happened there is a right to ask for the un-merging. The theory is they should not have been put together in the first place. No one could ask for

that relief until 2011. This needed to be posted on the Town's notification board a notice of such for a five (5) year period. This would be why people were not doing this previously because they could not legally do it until recent. Reference was made in a memo from Nic Strong that this plan went on record prior to the subdivision regulations. This was how things were subdivided, plans were put on file and they created lots and this is what has happened here. This is entirely consistent with what happened here and we agree with that. Touching on items that your Assessor provided information on:

There was never any involuntary merger concluding that the application be denied for un-merging. If there was never an involuntary merger then there shouldn't be a need for un-merger. The definition of a merger is you treat it as one (1) for assessing purposes which is what you do and that is why I handed out the tax card that in fact there is a need for an un-merger. It doesn't affect title, it affects how things are taxed or how someone applies for a building permit. This is exactly what this statute says; this is how it defines an involuntary merger, treating it as one and clearly this is what the town did. They did it because they got the plan so they wer not acting in bad faith that is just how it was looked at by the Town. The statute now allows them to be looked at as separate lots.

Referring to the plan; another comment made was there are some dashed lines representing each lot but there are no metes and bounds for those dashed lines to describe each lot. Believing that there is some sense of an argument that that these were not separate lots; clearly they were, they were numbered. Lot 112 has always been part of these lots and has always been part of lot 11 which clearly has metes and bounds. What happened in the early 60's was that Cocheco Associates conveyed lot 112 to the Motts by a separate deed and then they conveyed separately lots 10, 11, 12, 110 and 111 separately by a separate deed again referencing those lot numbers. What can happen and what we see as a practice in that period of time is that when you are ready to sell a lot you create your metes and bounds and this is what they did when they sold lot 112. Again, it is still part of lot 11 on the tax card. The Motts owned all of the six (6) parcels and the Town always treated it as one. This is okay but we are asking that this not be done moving forward. Telling you and citing case law, as a conveyancer and being a licensed title broker as well as a licensed lawyer in NH we look to find a plan that will provide us the opportunity to understand what the lot is and in his opinion this plan does that and we could convey these lots as they were. Another thing that was raised is there is just one deed. There is case law that we cited and there is only limited case law because this is so new. In fact what that case dealt with was that sometimes we as the conveyancer would as Henry would consider to be a perimeter survey. A number of lots can typically be conveyed by what is known as a perimeter survey. You can convey more than one lot by the use of that so when you see in the deed lot 112 was previously conveyed you can see that as tract 1 and then you see the other 5 lots as tract 2; this is reference to a perimeter survey. Case law specifically says that is not determinative of a voluntary merger by the owner, that is just a means of conveyance. That does not affect a request so that really shouldn't really be relied upon in terms of denying an un-merger request. The case is Roberts V. Windham which stands for that proposition of allowing a perimeter description. At this time Attorney Bruton turned this over to Henry Boyd who could also take this plan and develop the metes and bounds which would then be used upon a conveyance and he does that because the plan has a scale on it so it has what is needed to come up with those

measurements accurately and actually perfectly, everything fits. These lines are consistent with the plan that was provided to the Board and attached to the 6/19/17 letter. As a surveyor Henry can easily do that and finding those kind of dashed lines at that time is not “a typical”.

A brief history was provided by Henry Boyd. One of the Assessor’s comments was about no metes and bounds from some of the lots that are shown on the plan; are they intended to be lots at all. As a surveyor, one of the things we look for and it begins at the Town Hall getting the Assessing records which references the deeds which brings us to the Registry of Deeds which shows the plan. The source and title for these lots whether it is one lot or 6 lots is the plan that is on record. The benefit of this plan is that a very good surveyor GL Davis & Associates did this plan and is very capable. In the 60’s in NH you could actually survey your own property, it is not typical to find a plan on record and it pre-dated the zoning/subdivision control regulations. It wasn’t strange to find a plan dated in the 60’s and not have any bearings or distances on it. Sometimes they would have squares or rectangles. NH was one of the last states in the union to have licensure for land surveyors, which happened in the late 60’s. This plan is not stamped by a surveyor it is stamped by a professional engineer. This is not uncommon during this period of time to have lots shown simply as lines. As found at the Registry of Deeds, the lines are evidence shown on the plan the original what intent of the original sub-divider was. Mr. Boyd stated that it was his job to retrace the footsteps of the original survey. There were enough monuments found delineated as SS (Steel Stakes) and found angle irons to be able to tie them into the NH State Highways. This all fit together very well. Even though these have dashed lines without geometry or magnetic bearings or distances when you tie in the perimeter and do the survey work, finding the field evidence comparing it to the record evidence. In addition, we came up with the scale factor from the plan and it all fits just like a glove. Not only was the topography shown, the monuments were set and where they were supposed to be located. It was clearly with intent that Mr. Davis put these lines on the plan; he also labeled them. Speaking as a surveyor there was a clear intent for this plan to show lots and why would they be numbered if they were not lots. Another piece of evidence is the lines seem to go around the structures on the lots. Looking at the plan by Millennium, the end result you look at the monuments as they apply to the original geometry for the perimeter scale to a foot; we are able to build these in. Some of the lots are of great size compared to the abutting tracts with the exception of lot 12. Mr. Boyd stated that he would never survey this parcel and not show those lines he would absolutely show them. As far as he is concerned they are lots.

To summarize, Attorney Bruton stated that within lot 11 you have a sub-set lot 11 so the suggestion in his letter was to keep lot 11 and the other lots that are numbered for tax card purposes lot 11a, b, c etc. so there would be a way to develop a tax card that would be understood.

At this time, Tom Sargent, Tax Assessor was called to the table for his findings stating that he read the response to hi received memo. He agrees on one item that lot 112 should be separated, if they choose to do so. As far as the other lots it is his belief they should not; this is the way the plan came in; all the other lots have metes and bounds. These five lots do not have this; in fact if you trace this with the metes and bounds you can see that it is the whole

lot. In addition, on lot 11 it shows 2 garages, then on lot 11 it shows the main house, garage and boathouse; those garages are really part of and to associate it with the main house itself. Technically, it is like having a septic on another lot intending it to be a whole lot. In response to the survey being “typical” why do all the other lots have metes and bounds and the five in question do not; if it was done for all then why was it not done for these. Tom previously met with Mr. Motts several times; at no time during our meetings did he ever say to him why are these lots like this. The size of the 2.5 acre lot was questioned; this has been like that dating back to 1971. Tom believes that these lots other than lot 112 were intended to be such and treated as a whole. The plan depicts this, it was recorded as such and it was done exactly the way it should have been done. Now there are new zoning laws in place, if this wasn’t done back then Tom feels that this right is lost.

Attorney Bruton raised concerns to Tom’s comments stating that there is a south section, a center section and a north section; all have metes and bounds because they are a prior subdivision and have been sold. This is a subdivision of the center section. In reference to the garages, particularly on lot 111 they have access to the road and appear to have been rented out to possibly people on the other side of the road. The critical point for the Board to understand is, where someone took 2 parcels and used one for the benefit of the other that could create a concern but in this situation those uses would not be depicted as part of the subdivision. In this case they are all depicted as part of the subdivision proving that this was a subdivision of lots. Your Assessor has consistently referred to all these in the plural as lots not one lot for a good reason, because they are all numbered as lots. The issue of zoning, the clear answer is you can’t un-merge this until 2011. These are considered non-conforming lots created before zoning restrictions applied. These can be built assuming you meet the other zoning restrictions. Setbacks have been shown for the lots on the map and can meet and be treated as any other non-conforming lot. Back in the early days in NH these lots would be called postage stamp lots and are usually found around a lake. The constitution protects the landowner in order to maintain those non-conforming lots.

Tom Sargent again voiced his concerns as to every lot having its metes and bounds other than the lots in question and why it wasn’t done. Looking at the deed Parcel I is lot 112 so he is in agreement with that being separate and it is described to a tee. Parcel II is comprised as lots 10, 11, 12, 110 and 111 described as a whole.

Attorney Bruton commented that this is exactly what a judge would be looking for that those specific lot numbers are referenced; this is a perimeter survey, the same as the case he previously cited. This is the way to introduce perimeter surveys.

Mr. Boyd agrees that there are no metes and bounds on the lots in question there clearly was an intent with the lines and division as well as numbering shown on the recorded map. The deed itself calls witness to the number of the multiple lots that are contained within that perimeter as described in parcel II.

In addition, Tom Sargent noted that the Town Planner and her assistant concurred with his recommendation but could not be in attendance.

It was the consensus of the Board to take more time for a decision and to send this to the Town Attorney for review along with the testimony of the parties involved.

Attorney Bruton asked for notification once a decision is made.

Public Input I (limited to 3 minutes per person on agenda items only)

None

New Business:

Approval; Purchase of Utility Scan System, Cemetery Department

Sheri York, Cemetery Secretary and Jim Anderson, Cemetery Sexton were present to discuss this matter.

The Cemetery Department would like to purchase a Ground Penetrating Radar Scanner (GPR) from the expendable trust fund. Previously a demonstration was given to the department. An example is that a lot was sold to someone, there was no record that anyone is in this site it was scanned with this system and there was a body located on this lot; our records are not accurate. This happens quite often therefore this system would be very helpful especially in the Old Riverside Cemetery. Provided was a quote for the system and software in the amount of \$17,580.00. The system can be used without the software but it is much easier to use with the software. This is the only company that would sell directly to a Cemetery many other use it but hire out the services for them. Reuben Wentworth inquired about the benefits of owning the equipment versus hiring it out. The Town has nine (9) cemeteries with some being in the woods; it would potentially be less expensive in the long run than hiring out. In addition there is two (2) years of free training with the purchase. Reuben questioned if this could be used outside the Cemetery Department. Sheri will make calls and find out if this is a possibility. Even if it can only be used in the Cemetery it still would be very beneficial. Jim Anderson noted that there have been several incidents with records being very vague or non-existent; hard to tell if there is someone buried in a location or not.

Virgil MacDonald made a motion to allow the purchase of the Utility Scan System, LMX Locate and Mark for the Cemetery Department in the amount of \$17,580.00 and Reuben Wentworth seconded with all in favor of the motion.

Approval; Purchase Hydraulic Clamp Kit/Thumb, Cemetery Department

Sheri York, Cemetery Secretary and Jim Anderson, Cemetery Sexton were present to discuss the request to purchase a thumb for the cemetery excavator. Without a thumb and the New Riverside Cemetery being full of boulders, it would be beneficial to have one. Virgil MacDonald questioned looking at a used thumb. A quote from Bobcat was provided in the amount of \$3,164.92. Reuben Wentworth questioned if the town mechanic could install it opposed to Bobcat in order to save some money. Jim responded it may be possible but he wasn't sure what that would do for the warranty believing it was one (1) year. Cydney

Johnson noted that this has been done in the past however, it has caused issues with backup to the work loads. Phil Wittmann would like to hear Ken Roberts' opinion on the matter. Ken approached the Board stating that it is very uncommon not to have a thumb on an excavator; he agrees with Jim and it would be a plus and very helpful. It potentially could be used with the rebuilding of the wall on the far side of the Cemetery. Ken could not commit to the installation of the thumb and would need to consult Warren; we have the welders to do the work, the question would be having the knowledge of the hydraulic slave units and if they know how to do it. Jim noted that the hydraulics are already plumbed so the installation should be easy. Mr. MacKenzie potentially could do the welding at a lesser price.

Reuben Wentworth made a motion to allow the purchase of the Hydraulic Clamp Kit/Thumb in the amount of \$3,165.00 for the Cemetery Department Excavator and Virgil MacDonald seconded with all in favor of the motion.

Approval; Loaner Ambulance, Fire Department

Ryan Ridley, Fire Chief was present to discuss Ambulance II noting that the unit is a 2005 and is currently out of service. Last year roughly 7K to 8K in work was done and we are having pretty much the same issues with it this year. It is due for state inspection tomorrow. He has spoken with the company that we purchased the last ambulance from, they are willing to loan us an ambulance free of charge. We would have to license, insure and inspect it with the state. In the fall, he intends to propose the purchase of another ambulance from the revenue account which has plenty of money in it. The loaner would be outfitted from our current equipment including the radios. Currently we do not have a second ambulance with instances happening on a regular basis; every 2nd ambulance call we get we have been using mutual aid. Patients are waiting and we are losing revenue. The same issues have been happening over and over again. A program and computer for diagnostics has been ordered;. Ken Roberts believes that it just came in. Ryan has no issue with bringing the ambulance over to have it looked at. The loaner ambulance is inspected. Our last repair was approximately \$780.00 currently there are 15 items that need repair some will not affect the state inspection not wanting to repair things if it will not pass inspection. The loaner ambulance he believes it to be a 2004 with very low mileage. Ryan is trying to find a way so that we won't miss any ambulance calls and have a backup. The reason we are in this situation is because we didn't do something sooner. This loaner is decent, it came out of Waterville Valley and Ryan has actually looked at it. Reuben Wentworth would like to see the test run at the Highway Department and if it is going to take too long there is no sense delaying and it may cost too much money. We need to keep this moving. Ken Roberts made a suggestion that the Board agrees to the loaner depending upon the report of the Highway mechanics going through the vehicle letting Liz Dionne make the decision after the report.

Virgil MacDonald made a motion to allow the Chief to get the ambulance dependent upon the outcome from the mechanics and Reuben Wentworth seconded with all in favor of the motion.

Approval; Car Wash Fundraiser, PMHS Class of 2020, July 30, 2017

Tessa Carter, Grace Dejager and Sam Serbek from the PMHS Class of 2020 were present to answer any questions regarding the proposed carwash. This was coordinated with their advisors, they are requesting July 30, 2017 from 1:00 PM to 4:00 PM. This will be by donation and will go directly to the Class for their Sr. trip. August 20th would be the rain date. The Board informed them that the rain date will not work; they will need to coordinate another date with the Town Administrator.

Reuben Wentworth made a motion to approve the carwash for PMHS Class of 2020 on Sunday, July 30, 2017 from 1:00 PM to 4:00 PM with a rain date to be coordinated with the Town Administrator and Virgil MacDonald seconded with all in favor of the motion.

Approval; Special Event Application, Old Home Week Parade

Roger Sample was in attendance to answer any questions regarding the Old Home Week Parade.

Cydney Johnson made a motion to accept the Special Events Application for the Old Home Week Parade as presented and Phil Wittmann seconded with all in favor of the motion.

Approval; Appointment Conservation Commission Member

Reuben Wentworth made a motion to approve the appointment for Quinn Golden as a Conservation Commission member and Cydney Johnson seconded with all in favor of the motion.

Approval; Surplus Items

Liz Dionne explained that this seems to be an annual event. Things that are broken and not useable have been brought to the Transfer Station and a memo to has gone out to all departments to see if they can use any of the items. The provided list are the remaining items, which will be posted on the website for the public for submitting an offer. The only item that was questioned was a 3-drawer index file cabinet.

Cydney Johnson made a motion to post the surplus items as requested and Phil Wittmann seconded with all in favor of the motion.

Old Business:

Re-Approval; Bench in Memory of Paul Richardson

Cydney Johnson noted that Mrs. Richardson was not able to attend the meeting tonight.

Cydney Johnson made a motion to approve the change for the memorial bench and Reuben Wentworth seconded with all in favor of the motion.

Approval; Boston Post Cane Nomination

There was only one nomination for the Boston Post Cane.

Cydney Johnson made a motion to award the Boston Post Cane to Charles Woollett and Reuben Wentworth seconded with all in favor of the motion.

Discussion; Town owned property on Echo Point

Virgil MacDonald viewed the area noting there is a bad culvert, which runs across the road between two pieces of property; both are owned by the town. He is requesting that the culvert be replaced. Ken Roberts has \$1,500.00 in a delineation line item and we have had Cindy Balcius looked at it with the belief that there could be quite a bit of parking along the edge of the road with possibly a picnic area set up similar to Roberts Cove Beach area. The hope would be to get it done by September in order to go after the funds from the West Alton Marina. At this time the cost is unknown, the first step is to get the culvert replaced that should drain 18 inches of water. We will need to check with the Town Attorney for the use of the delineation money. We can clean out the ditch line to the lake, install the culvert to drain the water then take a good look at it. Cindy will give us an idea/proposal of the costs for the wetlands survey and come up with some type of parking. A quote after the fact could be obtained to see if it will be viable for the town to proceed. At this time there is no notification to abutters or Public Hearing until we know the full situation.

It was the consensus of the Board to proceed with the project as long as there is approval of the Town Attorney.

Selectmen Committee Reports

Reuben Wentworth noted that the Cyanobacteria Committee will be meeting again on Thursday in New Durham at 7:00 PM however he will not be able to attend. In addition, he stated that across from the Fire Station in the parking lot a company came in and dumped their hydroseed mixture into the water, which will/could create and contribute to the situation.

Phil Wittmann reported that the Old Home Week Committee meet on July 10th. Lilac Printing did the brochures thanks to Bob Regan. We discussed the particulars for the planned events. A question regarding political groups was brought forward which is being referred to ABA as they are running that event. Old Home Week has come together quite nicely.

John Markland had no meetings to report on.

Virgil MacDonald stated he would be meeting tomorrow night with the Planning Board.

Cydney Johnson had no meetings to report on.

Town Administrator Report by Elizabeth Dionne

Police Boat

Ryan Heath was in attendance to speak on behalf of the needed repairs to the Police Boat. The foam core hull is taking on water. He has been having some in depth conversation with Andrew Marine who has agreed to do some pro bono exploration of the hull to get a better idea of what it would actually cost to do the repairs. He has a theory and with the exploration, they would be cutting a whole in the sealed hull. Currently the boat doesn't float so there isn't much issue with doing that. This would allow us to see what we are dealing with and to see if it is salvageable. We can leave it as an empty core hull and the integrity of it will still be good even without the foam.

It was the consensus of the Board to explore the needed repairs to the boat.

Historical Gazebo

Marty Cornelissen and Ken Roberts approached the Board to give a status update on the Historical Gazebo project in the Bay. Marty stated that the gazebo arrived on July 7th at approximately 8:00 PM, Ken basically was on call all day. On Friday the 14th Marty along with Ken Roberts, TJ Place, Hayden Place and Matt Triano began the work at approximately 6:30 AM by 11:00/11:30 AM it was completed up to the sill plate, getting ready for the roof. Lunch was on the Historical Society. There were no problems what so ever. On Saturday the plan was to get the roof up. There were several people who assisted with the biggest volunteer help coming from NH Electric Coop; Arthur Cornelissen and Jeff McKenzie who used their truck lifting all the panels, putting them in place otherwise we would have struggled. Virgil MacDonald was the main man and was a huge help along with Ken Roberts, Rick Fogg, Jeff Drew, Art Hoover, Gabe Varney (cut all the shingles), Tyler Anderson, Duane Hammond, Matt Fassett, Richard Leonard, Mark Tilton, Kendra Kantar, Susie Morse, Mary Cornelissen, Muriel Stinson. Tables, chairs and tents were brought along with donuts and coffee. The last piece went up at 6:00 PM. The dedication shown was terrific there was great team efforts along with fantastic supervision. This will be a key point to the bay, so many comments were made and one of the better things that have been done to the bay in a very long time. Things are coming together. The volunteer crew was incredible. Ken Roberts requested that the Board send letters of appreciation to all parties involved. The Board was agreeable. Marty noted that the historical Society has purchased seven (7) benches for the inside of the gazebo that are specifically made for the gazebo and match the Trex flooring. These benches were used as a fundraiser and all have been sold. The money from the benches will be used to pay for the story boards which still need to be planned and there is no guarantee that they will be ready this summer; they will take time. The benches will be installed in the next couple of weeks. Marty was thanked for the project.

CIP/Sprinkler System

Based on previous discussions with the Board regarding the sprinkler system for the meeting room it was the understanding that this should become a CIP item with monies going into a

fund each year until there is enough for the system to be installed. Vendors have been in taking a look at the building; estimates are being obtained, currently there is only one (1) just for the second floor at 161K. We are still waiting for others, these are long term estimates. In the meantime a CIP request has been submitted without an associated cost. As long as there is a plan in place or you are doing something to correct the problem there won't be an issue.

Heating Oil #2 and Propane Quote Approvals

A staff report was provided to the Board in regards to Oil and Propane. Unfortunately, the contracts for these are not twelve (12) month contracts; some are 8 month some are 10 month contracts it depends on the company. The recommendations are as follows:

- Heating Oil; CN Brown, \$1.80 per gallon 100 gallon minimum for welfare
- Propane; Eastern Propane (current vendor), \$1.25 gallon/pound

Virgil MacDonald questioned if the school had been consulted. Liz responded that it is very difficult to coordinate with them and it is too late for this year. Reuben Wentworth questioned providing welfare clients with propane. Mary Jarvis replied that we have to go with the clients vendor and pay only for the product.

Cydney Johnson made a motion to approve the Oil and Propane contracts as presented and John Markland seconded with all in favor of the motion.

Outside Appropriations

A lot of feedback has been given regarding the length of the Warrant Articles. Liz is suggesting that the appropriations be included, amended and approved within the operating budget process instead of being individual Warrant Articles. Each Non-Profit would have their own line item. This was on a Warrant Article to combine the non-profits; the people voted it down. The Board was polled:

- Virgil MacDonald; leave as is
- John Markland; budget process
- Reuben Wentworth; leave as is
- Phil Wittmann; leave as is
- Cydney Johnson; leave as is

Fire Department Boat

Ryan Ridley approached the Board to discuss the Fire Department boat which is currently out of service. Over the July 4th holiday it was working with only one (1) engine. The boat is a 1997; in 2011 two (2) new Evinrude 150hp motors were purchased. The local marine company that was taking the boat in and out of the water they thought they were servicing the boat; we are unsure as to whether that was actually happening or if it is just excessive wear. The starboard motor needs repairs in the amount of \$3,800.00; we do not have that in the budget. The port motor is probably right behind it. If approved, the proposal is to fix the starboard

motor then possibly the port motor out of the Emergency Maintenance and/or Repair Capital Reserve Fund which has a balance of 30K which was approved by Warrant Article #25 in 2014: To create a Capital Reserve Fund for purpose of covering unanticipated and emergency maintenance and/or repairs of all Town Department vehicles and equipment. Reuben Wentworth asked why it wasn't addressed before both motors were out of service. Ryan responded that there was an issue last summer, it was looked at a couple of times, adjustment were made, a small repair was made in the spring. For the entire day over the July 4th holiday we could not keep the boat in gear. The boat can still be used but it will not plane and can only be used in the bay. The request is to get the engine that is out of service torn apart and repaired then he would like for the other engine to be torn apart to see if it is the same issue. Ryan is recommending Thurston Marine because they are an Evinrude dealer. The proposal is to get the one (1) engine fixed for \$3,825.71 and then have them look at the other motor not wanting them to tear both apart at the same time. The other engine is currently running. John Markland commented about using the motors from the Police Boat it seems that they are not big enough.

Reuben Wentworth made a motion to allow the Fire Chief to have Thurston Marina repair the motor in the amount of \$3,825.71 out of the Emergency Maintenance and/or Repairs Capital Reserve Fund and Cydney Johnson seconded with all in favor of the motion.

Approval of Minutes:

June 5, 2017 (Tabled 6/19)

John Markland made a motion to approve the minutes of Public Session I, June 5, 2017 and Phil Wittmann seconded. The vote was 3 approved, 2 abstentions, Cydney Johnson and Reuben Wentworth.

Phil Wittmann made a motion to approve the minutes of Non-Public Session, June 5, 2017 and John Markland seconded. Reuben Wentworth questioned if anything was being opened.

Phil Wittmann amended the motion to approve the minutes of Non-Public Session, June 5, 2017 releasing #2 and John Markland seconded. The vote was 4 approved, 1 abstention, Cydney Johnson.

John Markland made a motion to approve the minutes of Public Session II, June 5, 2017 and Virgil MacDonald seconded. The vote was 4 approved, 1 abstention, Cydney Johnson.

June 19, 2017

Cydney Johnson made a motion to approve the minutes of Public Session I, June 19, 2017 and Virgil MacDonald seconded. The vote was 3 approved, 2 abstention, John Markland and Reuben Wentworth.

Cydney Johnson made a motion to approve the minutes of Non-Public Session, June 19, 2017 releasing #1 and Virgil MacDonald seconded. The vote was 3 approved, 2 abstention, John Markland and Reuben Wentworth.

June 22, 2017

John Markland made a motion to approve the minutes of Workshop Session, June 22, 2017 and Cydney Johnson seconded with all in favor of the motion.

Approval of Consent Agenda

1. 2016-17 Timber Warrant \$355.98

Bradley Woods	Operation	Map 16 Lot 5	\$355.98
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2. 2017-18 Timber Warrant \$38.15

Douglas & Nancy Deporter Tr	Operation 17-011-02-T	Map 12 Lot 97	\$38.15
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3. 2017 Administrative Abatement \$289.81

Bezanson Paul & Kathy	82 Rand Hill Rd # 15	Map 34 Lot 33-191	\$42.00
Bolio Craig & Lauren	54 Viewland Court	Map 33 Lot 77-54	\$160.84
Springhaven Campground	41 Locomotive Drive	Map 65 Lot 17-26	\$23.97
Steinmeyer Paul & Susan	82 Rand Hill Road	Map 34 Lot 33-189	\$63.00

4. 2016 Abatement \$828.00

Thorne Jack & W Jean	18 Back Bay Path	Map 34 Lot 33-36	\$174.00
Knights Pond LLC	Rines Road	Map 19 Lot 51-1	\$294.00
Knights Pond LLC	Rines Road	Map 19 Lot 51-2	\$194.00
Knights Pond LLC	Rines Road	Map 19 Lot 51-3	\$166.00

Cydney Johnson made a motion to approve Item #1 on the Consent Agenda and John Markland seconded with all in favor of the motion.

Public Input II (limited to 5 minutes per person on any Governmental/Town Business)

None

Non-Public Session I:

Cydney Johnson made a motion to enter into non-public session pursuant to RSA 91-A:3, II (a) (b) and (c) and Virgil MacDonald seconded. The Board was polled in the affirmative by roll call with all in favor of the motion.

Roll call vote:

Virgil MacDonald, yes
Philip V. Wittmann, yes
Cydney Johnson, yes
Reuben Wentworth, yes
John Markland, yes

The Board returned from Non-Public Session to vote on the Discretionary Action Requests and was polled in the affirmative by roll call vote:

Roll call vote:

Virgil MacDonald, yes
Philip V. Wittmann, yes
Cydney Johnson, yes
Reuben Wentworth, yes
John Markland, yes

Discretionary Action on Requests for Appointments (No discussion, majority vote required to allow/not allow appointment)

John Markland made a motion to approve the Discretionary Action Appointments and Reuben Wentworth seconded. Cydney Johnson voiced concern in reading the request that the Solar Company request is somebody coming in for advertising and this is not the intent of an appointment.

Cydney Johnson amended the motion on the table to approve the request for the Community Health Care Plan and deny the request for GoSolar NH and Virgil MacDonald seconded.

Further discussion ensued: Liz will contact him and if he is just looking to rent a building then there will be no need for an appointment he can simply do such.

Cydney again amended the motion on the table to approve the request for the Community Health Care Plan and deny the request for GoSolar NH and Reuben Wentworth seconded with all in favor of the motion.

Non-Public Session I:

Cydney Johnson made a motion to enter into non-public session pursuant to RSA 91-A:3, II (a) (b) and (c) and Virgil MacDonald seconded. The Board was polled in the affirmative by roll call with all in favor of the motion.

Roll call vote:

Virgil MacDonald, yes
Philip V. Wittmann, yes
Cydney Johnson, yes
Reuben Wentworth, yes
John Markland, yes

Adjournment

The meeting adjourned at 8:08 PM.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary