

ALTON BOARD OF SELECTMEN
Meeting Minutes
December 4, 2006
Public Session
ALTON TOWN HALL

Convene – At 6:00pm, Chairman Blackstone convened the meeting of the Board of Selectmen, present were the following members of the Board and staff:

Cris Blackstone, Chairman
Patricia Fuller, Selectman
Alan Sherwood, Selectman
A. Pete Shibley, Selectman
E. Russell Bailey, Town Administrator
James Sessler, Esq., Town Counsel

Pledge of Allegiance to the Flag and a Moment of Silence

C. Blackstone led those present in the Pledge of Allegiance to the Flag and a Moment of Silence.

Approval of the Agenda

The agenda was amended to make Public Input I the first item of business and to add a second Board of Health item with reference to Alton Historical Society, septic waiver. The Chairman noted Attorney Sessler would make a statement prior to Public Input. P. Fuller motioned to accept the Agenda as amended, seconded by A. Sherwood and passed with all in favor.

Announcement –

Chairman Blackstone stated the Town Hall would close at noon on December 22nd and reopen Tuesday morning on the 26th as usual.

Statement by Attorney Sessler, Town Counsel

James Sessler stated his statement is directed at members of the public and that it is intended as ground rules for the Public Input portion of tonight's meeting and advised he would read the statement as follows:

v.“As a result of action by the Board of Selectmen in September of this year, and the public debate that followed. I received a call from a local attorney representing an Alton police officer. That officer, after assurances of confidentiality met with me at my office in Franklin in the early part of October. The officer started off the meeting by telling me that the Selectmen were on to something and not to let them give up. That officer then went on in the next two hours to detail incidences of alleged behavior that warranted in my opinion, further investigation. My opinion was concurred with by Mr. Bailey when I talked to him about the allegations that were made. The information given to me by this officer was later confirmed by conversations I had with two other officers, who also sought confidentiality protections.

The investigation was begun by my office with consultation with Russ Bailey only. There was no direct or indirect involvement by the Board of Selectmen or any individual member of the Board of Selectmen at any time prior to last Monday evening, November 28th (*Secretary's Note: Attorney Sessler was actually referring to Monday the 27th*) the Board was never told about the details of the investigation or even the fact that a formal investigation was being undertaken until last Monday evening.

Because the investigation is a personnel matter and may result in disciplinary action, I have given an opinion to the Board of Selectmen not to make any comment about the investigation whatsoever, even in spite of the fact the public may be keenly aware of this. Hopefully at some point in time the details will be told to the public but it being a personnel matter, that may not happen unless the people that the investigation is directed at allow it to happen.

I have also given an opinion to the Board of Selectmen not to allow any speculation by the Public during Public Meetings or in the Public Input portions of those meetings about the investigation or about the people that may or may not be involved. I hope the public understands and cooperates with these opinions that they are directed at the Board and it will preserve the right of personnel to have privacy in these matters.”

Public Input I

C. Blackstone noted the large number of those citizens present and advised that Public Input would be taken in order of seating.

The Chairman recognized Bob Longabaugh – B. Longabaugh explained some problems had occurred with the Town's video camera due to its age. It did not completely record a meeting in October and also lost audio. He noted he was using his personal camera for backup at tonight's meeting. B. Longabaugh briefed the Selectmen concerning his editing of a tape that was shown on Channel 26. He continued that he would like to retain the option of producing and editing his own news piece. Also he will have a disclaimer at the beginning and ending of the production of an edited show. Those who do not think this is fair or biased may contact him.

Marybee Longabaugh – M. Longabaugh advised the statement she was about to give was from both her and Bob. She continued as an elected official she abides by the same oath of office as the Selectmen and must obey the Town of Alton conflict of interest ordinance. She continued that three Selectmen have been engaged in activities that are in violation of their oath of office and cited the specifics, and that they understood about being removed from office for any breach thereof. She noted violations of Article 5 Article 9 and the second paragraph of the Conflict of Interest Ordinance. In her summary M. Longabaugh stated because of their acts, three Selectmen were in breach of their oath

of office. She also asked what steps would be taken when the majority of the Board was in breach of the Town Ordinance.

Lisa Carr suggested having a special election.

Virgil McDonald thanked the Selectmen and Town Administrator for "thinning out problems in this town" and taking the time to hear the voices of the people.

There being no further Public Input, Chairman Blackstone called for a five minute recess.

At 6:25pm A. Sherwood stated C. Blackstone had left the meeting due to a family emergency and he then reconvened the Board.

Selectmen's Committee Reports

P. Fuller advised the Board on recent developments with the Legislature concerning funding education. They have to find a solution for adequate education cost and funding before June 20th, or the court will take over. As of now it appears that we may once again become a donor Town. She will keep the Board apprised.

P. Shibley stated that the Downtown Revitalization Committee had applied for a twenty-thousand grant from Manchester to fund 2/3's of playground equipment and the Committee should know this month if it had been approved. Total playground cost is thirty thousand dollars. Medallion and Calendar sales have been very successful.

A. Sherwood noted the Light Up Night was very successful with a good turnout and thanked those who participated for their efforts. He noted the next meeting of the Belknap Range Committee would take place in Alton in January. He had also attended a Conservation Commission meeting. A. Sherwood continued he had attended a Household Hazardous Waste committee meeting, and noted costs may increase due to loss of grants.

Town Administrator Report

R. Bailey noted he had a draft letter prepared with reference to Boat Fees. The Board approved the draft letter which will be finalized for Board signatures. R. Bailey advised the Downtown Business Association has requested a meeting with the Board for December to provide updates. It was agreed to meet with the DBA as requested. R. Bailey advised he would confirm a date.

R. Bailey advised the Board the East Alton Fire Station needs a furnace, this is not in the Fire Department budget. Cost for this furnace is \$3000. It was agreed if the cost does go over budget the Selectmen's contingency will be used to supplement the expense.

R. Bailey continued he had received an Engineer's Report on Roberts Cove Road, three options were given. He has spoken to a resident about drainage and will also meet with the Highway Agent and come back with recommendations. He expects the work will begin in the spring. He noted road reconstruction amounts are automatically carried over, as part of the Capital Reserve, these funds cannot be encumbered.

Approval of Selectmen's Minutes

Public and Non-Public Session – November 6, 2006 – P. Fuller amended Page 2 to change the ZBA meeting date from November 30th to the 20th, and on page 5, #3 to strike the words “the Board approved the concept” to state: *P. Fuller motioned to approve the concept, seconded by A. Sherwood and passed with all in favor.*

A. Sherwood motioned to approve the minutes as amended, seconded by P. Fuller and passed with all in favor.

Board of Health

A. Sherwood motioned to recess as Board of Selectmen and to convene as Board of Health, seconded by P. Fuller and passed. The Board met with Thomas Varney, P.E. with regards to the following requests:

1. Alton Historical Society, Map 29, Lot 80, Depot Street - following a review of the waiver requests regarding Minimum Setback distances, and discussion with T. Varney about usage and noting recommendations by the Health Officer, P. Shibley moved to approve the requests for variances, seconded by P. Fuller and passed with all in favor.
2. Tonya & Andre Phillips, Map 36, Lot 9, Spring Street – T. Varney and the Board reviewed waiver requests for this property and the design as presented. T. Varney noted the lot is very small, an antiquated system currently exists on their property. The Board discussed a well release waiver, T. Varney advised it will be recorded. A. Shibley motioned to approve the waiver requests as noted, based on the Health Officer's recommendations, and that all conditions are met, seconded by P. Fuller and passed with all in favor.

A. Sherwood motioned to adjourn as Board of Health and Reconvene as Board of Selectmen, seconded by P. Fuller and passed with all in favor.

Old Business

1. Town Beach Update – R. Bailey advised he had spoken to Eric Reitter the Town Engineer who advised the contractor was doing a good job and he presented a letter for the Beach Committee concerning the payment plan . R. Bailey advised most of the work is completed; the rest will be finished in the spring. Approximately \$10,000 remains in the account for other items. The Beach should be operational in the summer of 2007. A retainage will be held through the winter. Payment will be made based on the Engineer's review.
2. 2007 Update – Warrant/Budget - R. Bailey advised basic meetings with the budget committee have been finalized, the CIP has been presented. He noted a Selectmen's workshop will need to be scheduled to review the capital requests, approximately 33 items. One Million, nine hundred and eighty eight thousand dollars as of now. The Board set a workshop for Friday, December 8th at 4:00pm. It was agreed to have the Highway , Fire and Police representatives at the meeting. The ballot could be 5-6 pages including petitions, etc.
3. Landfill Contamination Update – R, Bailey advised he is waiting on a response from the DES. The third well is still testing clean. The engineer does not believe more wells will be needed. The groundwater permit will be good for 5 years. There are 15-16 wells tested each year, and residents' wells in the circumference of the landfill are also tested. A survey will also be registered with the registry of deeds.

New Business

1. Recommendations from the Assessor's Office – R. Bailey noted due to the cancellation of the last meeting, he had secured approval from three Selectmen to allow the Assessor to sign off on items because of time related materials. A. Sherwood read the recommendations as originally sent to the Selectmen and a current use recently received. For the record A. Sherwood moved to accept the recommendations of the Assessor and sign the items accordingly, P. Shibley seconded and the motion passed.
2. Cemetery Deed – A. Sherwood moved to sign the Cemetery Deed for Row F, Lot 40, seconded by P. Fuller and passed with all in favor.
3. NH Electric Co-op - Powder Mill Road Pole Petition and Lakewood Drive Field Service Review – A. Sherwood moved to approve the petition and service review, seconded by P. Fuller and passed with all in favor.

4. Petition – Sunset Shore Road paving request. The Board met with two Sunset Shore Road residents of the Association who spoke on their petition for the Town to pave a portion of Sunset Shore Road and cited their concerns. A. Sherwood suggested that the Highway Agent provide the scope and cost to learn if this paving could be included in his schedule. There would be no guarantee as to how soon; when or if this work would take place. R. Bailey advised he would contact the Association Members once the information was available.

Public Input II

Angela Bystrack – stated v. as a voter and taxpayer she wanted to make it very clear for public record she could not comment on anything going on because two wrongs do not make it right, and she hoped that the taxpayers and residents of Alton understand that.

Richard Cunningham - R. Cunningham stated his concerns for the West Alton area and he would hope during budget preparations, that police and fire coverage would be considered, there is a sizable population including elderly who question response time in the event of an emergency and if there could be more responders and he cited incidents of residents who had been kept waiting for emergency response. He noted traffic has increased in the area. He stated the Fire Station in W. Alton is mainly a storage area, interns may be leaving, there is not the type of coverage in W. Alton as in other parts of Town.

There being no further Public Input, A. Sherwood moved to enter into Non-Public Session pursuant to RSA91-A:3,II (a) (b) and (c), seconded by P. Fuller, A. Sherwood called for a vote, the vote was 2-1(PS) and the motion failed.

Adjourn

A. Sherwood adjourned the meeting at 7:30pm.

Respectfully submitted,

Patricia A. Rockwood, Secretary

Minutes Approved: December 27, 2006

