

ALTON BOARD OF SELECTMEN
Minutes
January 25, 2021
(Approved – February 8, 2021)

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

Reuben Wentworth, Chairman
Virgil MacDonald, Vice Chairman
Philip V. Wittmann, Selectman
Paul LaRochelle, Selectman
Bob Holt, Selectman
Elizabeth Dionne, Town Administrator
Laura Parker, Finance Manager

R. Wentworth announced the following:

Until Further Notice: To keep our members and staff safe, and to comply with RSA 91-A, the State of Emergency, and Governor’s Orders, restrictions on public gatherings, The Town of Alton is moving from “in-person” meetings to “remote audio participation meetings”. To remotely attend the meeting (audio only) visit our website: www.alton.nh.gov for telephone access and remote access instructions listed under News and Announcements on the home page or telephone the Selectmen’s Office 603-875-2113 or 603-875-0229 between 8:00 AM to 4:30 PM for the Dial-in Code and Meeting ID for each Selectmen’s Meeting.

Agenda Approval

V. MacDonald made a motion to approve the agenda as submitted and P. Wittmann seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

Announcements

- Deliberative Session is scheduled for Tuesday, February 2, 2021, 6:00 PM at Prospect Mountain High School, Auditorium with a snow date of Wednesday, February 3, 2021.

Submission of Public Comments - Questions - Concerns

- Email - Robert Wright - Political Concern

The email from Robert Wright was read into the record as follows:

To The Board of Selectmen:

Representative Raymond Howard, Jr., Belknap County District 8 (Alton, Barnstead, and Gilmanton), took an oath of office as follows:

"I, ... do solemnly swear, that I will bear faith and true allegiance to the United States of America and the state of New Hampshire, and will support the constitution thereof. So help me God.

"I, ... do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all duties incumbent on me as according to the best of my abilities, agreeably to the rules and regulations of this constitution and laws of the state of New Hampshire. So help me God."

Meanwhile, as you probably know, Rep. Howard has joined a group that has served the State of New Hampshire with a "Termination of Office and Termination of the 'state'", a copy of which is attached. The signers declare in the document that they are "Absolved from all allegiance to the statutory 'state' of New Hampshire and all political connection between the Citizens of the State of New Hampshire and the 'state' is and ought to be totally dissolved".

As a signatory to this document, Rep. Howard has repudiated his oath of office, thereby disqualifying himself from serving. His repudiation of

this oath, which is a requirement of the office, constitutes in legal effect a resignation from the position as Representative. Please schedule a special election so that the voters of this district might choose a representative who will take and abide by the required oath of office.

I would appreciate it if you would include this item on the agenda for your next meeting.

*Thank you,
Robert A. Wright, Alton Bay*

Attachments were included with his email in reference to “Termination of office and Termination of the “state” which contained signatures of several people. In addition David Scanlon, Deputy Secretary of State sent comments. L. Dionne was consulted and informed the Board that she reached out to Legal Counsel who recommended that the Secretary of State’s Office be contacted. She was informed that it is entirely up to the Board of Selectmen as to what they want to do. The question raised is not really a Town issue but is a political issue. If the Board wants to pursue it they can however because he represents more than one Town makes it more difficult. L. Dionne is not aware if the other Towns he represents received this information. R. Wentworth feels that a phone call to R. Howard should be placed by the Town Administrator as a representative of the community to find out if this is true and to see if he really signed this and if he believes that he doesn’t have to follow the oath that he took to represent the people. This is political between the Democrats and Republicans and it is not what this Board wants to venture into. If this is true then he should resign but if this is not true this Board would like to hear and see it for themselves. P. Wittmann offered and had a response from R. Howard and was informed that it should have been submitted before the meeting; this will need to be submitted at the next meeting. The Board agreed to hear what the response was and were provided with copies. P. Wittmann read the response into the record as follows:

*To the People and the Selectmen of the Town of Alton: I took an oath to protect and defend the constitution. It is the compact with the people and dictates how I am o govern for the people. Part First Art. 11 (Elections and Elective Franchises.) spells out that election process. If the people would like to change that process, Part Second Art. 100. spells out how that is accomplished. House Bill 1266 that was passed last year changed the constitutional process for absentee balloting without being done through the Part Second Art. 100 requirements. This is a violation of Part Second Art. 5. Therefore the last election cycle is null and void under Part Second Art. 90. Therefore my actions have been to protect and defend the constitution under Part first Art. 10 and 32. I ask the members of this Board aren’t you denying me my constitutional right under Part First Art. 15 (Right of Accused) by not asking me to be at your Board meeting tonight?
Respectfully submitted,
Rep. Raymond Howard, Jr.*

R. Wentworth responded to R. Howard’s letter that a letter came forward to the Board from Mr. Wright who will not be allowed to speak tonight and it was only read into the record. There is no reason for the Board to deny allowing R. Howard to meet with the Board to defend himself as long as he follows the Town’s set process. This is a political hornet’s nest and is really a State issue. Mr. Howard will need to submit an Appointment Request Form; L. Dionne informed the Board that this could take several weeks or it could be done as a submission of Public Comment/Question/Concern. It was noted that the Selectmen could approve this now to be on the agenda for next week as long as the appointment request form is submitted in the proper timeframe which is Wednesday by noon. L. Dionne feels that a motion needs to be made to waive the process for Discretionary Action for Appointment.

V. MacDonald made a motion to waive the requirements of the Discretionary Action for Appointment and have Representative R. Howard submit all the necessary paperwork by Wednesday morning, 1/27 for placement on the next agenda for Monday night to meet with the Board and P. Wittmann seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

Appointments

None

New Business

1. Solid Waste - Skid Steer Replacement

Scott Simonds, Solid Waste Director remotely joined the meeting for discussion. A request was submitted to purchase a new Skid Steer to replace the current Bobcat Skid Steer. The cost is \$67,460 without a trade which includes a bucket and forks. It was recommended to take \$16,903.80 from the Capital Reserve Fund and the remaining \$50,556.20 from the Recycling Revolving Fund. V. MacDonald inquired about the bucket and forks with a response from S. Simonds that the bucket is rotting out from the salt and sand and the forks are badly worn. A trade in value was given of \$16,000 which is a little less than what originally was paid in 2003. This machine is bigger than the current machine. No other prices were obtained because Bobcat is the only one that has an all-wheel steer. A letter from the Town Mechanic recommends trading the current equipment before there are any major issues. No other department is interested in this equipment.

R. Wentworth made a motion to allow the Solid Waste Director to purchase a new Skid Steer from Bobcat in the amount of \$51,460 with the trade of the old equipment. Money to be taken from the Capital Reserve Fund \$16,904 and the remaining from the Recycling Revolving Fund \$34,562 and to waive the Section of Purchase 9.3.15 and seconded by V. MacDonald.

Discussion: P. Wittmann questioned about pricing from different dealers; explained.

The motion on the table was called. Roll call vote.

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes
V. MacDonald, yes R. Wentworth, yes

2. Request for Appointment - Deputy Town Treasurer, Donna L. Grant

A letter of request was received from the current Treasurer to appoint Donna L. Grant as Deputy Town Treasurer to fill the vacancy previously held by Patricia Palmer.

V. MacDonald made a motion to appoint Donna L. Grant as Deputy Town Treasurer and P. LaRochelle seconded. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes
V. MacDonald, yes R. Wentworth, yes

3. Special Event Application - ABA, Winter Carnival 2/14/2021

An application for a Special Event was submitted from the ABA for Winter Carnival. All departments were in support as long as they follow the current Guidelines that are set forth at the time of the event.

P. LaRochelle made a motion to approve the request from ABA for the Winter Carnival Special Event Application and seconded by P. Wittmann. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes
V. MacDonald, yes R. Wentworth, yes

4. Town Report Approvals

The approvals requested are for the cover of the Town Report and the Dedication. Discussion took place on the submissions. By consensus the Board agreed that cover #3 was the choice. The dedication was for Russell and Gwendolyn Jones. All Board members were in support of the dedication.

Old Business:

1. Fire Department - Ladder Truck

A letter from the Fire Chief, J. Beaudoin was provided for purchasing a used Ladder Truck. The cost of one that was found is \$75,000 and an additional \$15,000 would be needed for lettering, radios and any unforeseen repairs or updates. The money would come from the Fire Equipment Capital Reserve Fund which currently has \$603,652.

The Chief remotely joined the meeting to provide further details. He explained the truck is 22-years old and quite immaculate. The department has done a ZOOM inspection with several pictures viewed etc. with no visible rust. It has 18,000 miles on the vehicle and approximately 9,000 hours. The vehicle has not been used very aggressively with a department that does a low amount of calls and one that has an incredible maintenance budget. The hydraulic pump was replaced and they already have a new vehicle on order. He feels that the vehicle would last more than another 5-years but cannot guarantee anything. V. MacDonald questioned the dent on the rung of the ladder; it has passed the ladder inspection and was explained that there is a rubber covering which is where the dent is not on the actual rung itself. Capt. P. O'Brien remotely joined the meeting who informed the Board that the vehicle was found on the Fire-Tech website. He feels that this is a great opportunity for Alton. There will be no issue and they would never consider a vehicle that would not fit into the building. The vehicle is located in Pennsylvania therefore it would be possible to take the trip to view the vehicle and planned on doing this for inspections. It was recommended to take the Town Mechanic to go along for the inspection. The plan would be to go down, test drive and drive back if all was in order. The details would need to be worked out if approved. The recommendation for the current ladder truck would be to send it out for scrap, it doesn't start or run, does not pass any tests and is decommissioned for being a fire apparatus. It could be placed on Municibid however a purchaser would need to get it from the location; this would be the decision of the Board. It was unknown what the problem is with the vehicle, the Town Mechanic cannot get it running. Possibly someone could bid on it as a salvaged vehicle on Municibid with a reserve placed by the Board. All equipment has been removed from the vehicle.

P. LaRochelle made a motion to allow the Fire Chief to purchase the 1999, 75' Quint Ladder Truck for \$75,000 out of the Fire Department Equipment Capital Reserve Fund contingent upon the Town Mechanic's inspection of the vehicle. In addition, going out of State to purchase and bring back the apparatus and to place the old Ladder Truck out to bid on Municibid and V. MacDonald seconded.

Further Discussion: R. Wentworth asked who would be taking this road trip. The Chief recommends having an additional person to allow the switching of drivers for the lengthy trip. Three (3) people should work. P. O'Brien noted that the only person that could be on overtime would be the Town Mechanic all the rest would be on-call. B. Holt asked about the transport; explained, they would work with the State for temporary plates and insurance. Noted, this will be an overnight trip. There will need to be an inspection done in NH upon its return and with the mechanic being included this should not be an issue. R. Wentworth asked that they work with the Town Administrator to ensure that everything is in order in the event of the purchase and that the Selectmen are made aware. J. Beaudoin asked if the Board wanted to set a Reserve on the old ladder truck; the Board left it up to him and the Town Mechanic to set the Reserve themselves. P. O'Brien informed the Board that Dave Nash had already looked at the vehicle and was not able to give a definitive answer and feels that \$1,000 would be reasonable.

The motion on the table was called. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

2. Highway Department - RFP - Engineering Church Street/School Street

The Highway Manager recommends KV Partners for the School Street/Church Street preliminary design, final design and bidding services. K. Roberts is looking for approval of the Board to negotiate with KV Partners with Construction Administration and Construction Observations for the location. The new figure will come back to the Board for approval. The final aspect for School Street was not included. At this time, K. Roberts remotely joined the meeting and explained that there was confusion on the bid due to the exclusion of School Street within the bid and believes that this might have been an oversight but needs to confirm. Even if this is only for Church Street it would still be his recommendation. V. MacDonald questioned the hourly engineering services. The Construction Services and Lump Sum Costs were not clear; this needs to be clarified. This can be awarded contingent on the clarification. Regardless this would still be the recommendation as they are the low bidder. This will come back to the Board regardless.

V. MacDonald made a motion to award the bid to KV Partners for School Street/Church Street allowing K. Roberts to negotiate obtaining clarification on page 2 and P. LaRochelle seconded.

Further Discussion: V. MacDonald questioned whether the Town was going to seek out any grants regarding water lines/mains referring to other Cities/Towns receiving monies from grants. R. Wentworth suggested he make a motion to have the Water Superintendent work with the Town Administrator regarding this to see if the State has monies for replacing these water mains. B. Holt questioned the hourly costs that are referenced within the bid. K. Roberts was confused with the bid opening page that reflected this hourly rate and asked that this be sent to him as he does not have that particular document.

At this time, the motion and second on the table were withdrawn.

P. LaRochelle made a motion to allow K. Roberts, Highway Manager to speak and negotiate with KV Partners, LLC for the engineering for School Street/Church Street and V. MacDonald seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

As suggested by V. MacDonald, it was the consensus of the Board to have the Town Administrator work with the Water Superintendent, working together to seek grants and/or funding for the water main expenses on Church and School Streets.

3. Budget Discussion

R. Wentworth asked the Board last week to come back with recommendations for the reduction of the bottom line budget. He provided information to the Town Administrator who worked with the Finance Manager to come up with the reductions. At the time he thought the amount was \$208,000 not \$172,000. He had come up with \$248,000 in reductions and had not used K. Roberts' recommendation of the loader/grader lease and the new hire. Going back over all of the numbers if the Highway Department (\$81,000 & \$38,000), Fire Department (\$34,149) and Police Department (\$19,997) totaling \$173,146 were reduced no other departments would have to be affected. This would be R. Wentworth's recommendation to reduce these departments; P. LaRochelle agrees with these reductions as they can absorb the reduction more so than the smaller departments. Various cuts were discussed leaving all other cuts alone. P. LaRochelle suggesting leaving the cut for Selectmen at \$7,685, B. Holt feels that line should be zero stating he ran for the position, not for the money and feels that that money could be put back into one of the departments absorbing the cuts. L. Parker, Finance Manager commented that one check has already been issued from that line recommending that it not be brought to zero. R. Wentworth recommended it be brought to \$1; this line will be over expended. The Board agreed it makes more sense to make the cuts as suggested tonight. The consensus of the Board was to make the cuts to the larger departments including the Selectmen's cut. V. MacDonald did not agree. L. Dionne offered to provide an updated spreadsheet of the cuts adding back to those departments the \$14,000. This will be provided next week to the members.

4. Drug & Alcohol Free Workplace Policy

R. Wentworth feels that these policies could be combined into one policy. He has read them and agrees with them. He feels they are standard and refer to State Regulations.

P. LaRochelle made a motion to approve the Drug & Alcohol Free Workplace Policy and the Worker's Compensation Policy as submitted January, 2021 and P. Wittmann seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

5. Worker's Compensation Policy

Note: Acted on in the previous vote above.

The Employee Handbook will be brought forth after the Deliberative Session.

Selectmen Reports

- B. Holt had nothing to report.
- P. LaRochelle had nothing to report.
- P. Wittmann had nothing to report.
- V. MacDonald would like to wait until Non-Public Session to report.
- R. Wentworth had nothing to report.

Town Administrator Report

L. Dionne had no reports.

Approval of Minutes

January 11, 2021 - Regular

B. Holt made a motion to approve the minutes of the Regular Meeting, January 11, 2021 as presented and P. LaRochelle seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

January 11, 2021 - Non-Public

P. LaRochelle made a motion to approve the minutes of the Non-Public Meeting, January 11, 2021 as presented divulging none and B. Holt seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

Consent Agenda Approval

None

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

- Brad Jones - Road Acceptance - High Point Drive

L. Dionne recommended a ten-minute meeting.

V. MacDonald made a motion to allow the appointment request for Brad Jones for High Point Drive and P. Wittmann seconded.

It was noted that all information will be provided to the Board before it goes to Public Hearing.

The motion on the table was called. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

Non-Public Session:

V. MacDonald moved at 7:21pm to enter into nonpublic session under RSA 91-A:3,II,a,b,e. P. LaRochelle seconded.

Roll call vote:

P. Wittmann - yes
R. Wentworth - yes

V. MacDonald - yes
R. Holt - yes

P. LaRochelle - yes
Roll call vote carried unanimously

V. MacDonald moved at 8:21pm to exit nonpublic session. P. Wittmann seconded. Roll call vote:

P. Wittmann - yes
R. Wentworth - yes

V. MacDonald - yes
R. Holt - yes

P. LaRochelle - yes
Roll call vote carried unanimously

R. Wentworth moved to “not divulge” the minutes because divulgence of the information likely would affect adversely the reputation of any person other than a member of this board or render the proposed action of the board ineffective. P. Wittmann seconded. Roll call vote:

P. Wittmann - yes
R. Wentworth - yes

V. MacDonald - yes
R. Holt - yes

P. LaRochelle - yes
Roll call vote carried unanimously

Adjournment

P. LaRochelle moved at 8:22pm to adjourn. P. Wittmann seconded. Motion carried.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary

