

ALTON BOARD OF SELECTMEN
Minutes
February 22, 2021
(Approved - March 8, 2021)

Chairman R. Wentworth convened the meeting at 6:00 PM.

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.

P Wittmann 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, Excused Absence
Bob Holt, Selectman
Elizabeth Dionne, Town Administrator
Laura Parker, Finance Manager

Agenda Approval

V. MacDonald made a motion to approve the agenda as submitted and P. Wittmann seconded. B. Holt requested to add Default Budget and Bay Hill Road under Old Business.

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

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

Announcements

- The Town Clerk/Tax Collector Office will be closed on Tuesday, March 9th for Town/School Elections which will be held at St. Katharine Drexel Church (lower level), Hidden Springs Road from 7:00 AM to 7:00 PM.

Submission of Public Comments - Questions - Concerns

- Ray Howard

R. Wentworth read the following into the record:

Members of the board at the last meeting Feb. 8, 2021 a request was made by the town of Portsmouth to lobby against house bill 504. The town of Alton pays dues as members of the municipal association they are a lobbying group as founded. If the municipal association will not lobby against this legislation for us, or any of the towns involved. Then maybe we need to leave this association with our dues and use these funds to join Portsmouth in there plan.

and

Thank you for letting me submit a letter of rebuttal to the request that came before this board on January 11, 2021 and to explain my actions. As elected officials we know we have to accept constructive criticism for what it is. I only ask that it be honest. What was presented to this board by Mr. Wright was anything but honest. The document that was presented to this board for consideration was only 3 pages of a 9 page document entitled, "Termination of Office and Termination of state". This omission in legal terms is a deliberate omission of evidence.

The board has been asked to hold a special election but my seat has not been vacated. The only way that can happen is if I send a letter of resignation to the speaker of the house and he accepts it or I am impeached, neither has happened.

I would like this board to understand what I have done in representing a group of upstanding inhabitants of NH, just as I did with the rumble strip issue here in town. The process leading to this termination document started in Sept. 2017. A request by 7 citizens and myself was made to meet with the governor; we were only allowed a meeting with the governors legal council, John Formella. At that meeting we spelled out 30 ongoing constitutional violations in a 16 page report. The response from the governors office was total silence. Ever since then we have followed every constitutional process to have our grievances redressed. With all efforts being ineffectual our only constitutional right left was Article 10 Part First the Bill of Rights, (Right of Revolution) and that is what I signed.

I will not go into all the details of our 38 month long struggle for justice. I will address the subject matter in the request before this board. Starting with "State vs. state". Many of you probably think we are a sovereign State as applied in Article 7 Part First of the NH Constitution. In the document (State vs. state - enclosed) it explains what the capital "S" for State "sovereign country" vs. lower case "s" for state "statutory state" means. In 1970 the conversion to a "statutory state" took place in NH without the peoples knowledge or consent. For proof of this, look at Article 84 Part Second (Oath of Civil Offices). This oath is quoted in the 1-11-21 email sent by Mr. Wright. In the oath you will notice that the United States of America is all capital letters and all references to the "state of New Hampshire" is lower case for "state". If you read the Constitution at the bottom of article 84, it will say "Amended 1970 adding allegiance to the United States of America". As a result we now have a statutory state within a State. In other words New Hampshire is now a territory of the United States. As for the lawful election complaint, look at the change that was made to Article 11 part first (Elections and Elective Franchises) this past election cycle which took place without amending the constitution. Absentee voting in Article 11 has two allowable reasons. They are: "Absent from the city or town of which they are inhabitants, or by reason of physical disability are unable to vote in person". There is no mention of being afraid of disease or death. So, in violation of Article 5 Part Second (Power to Make Laws) "No law shall be made so the same be not repugnant or contrary to this constitution". That is exactly what was done by altering article 11, making this last election invalid and unconstitutional.

These are only 2 of the 30 violations in the 16 page report we presented to the governor that pertain to the request by Mr. Wright and that We The People are trying to have redressed by our government. Another constitutional violation in our report is one that this board has talked about recently having to deal with in House Bill 504. HB 504 will create donor towns which violates Article 5 Part Second, (Impose Fines and Assess Taxes). It states "all taxation shall be proportional". Taking taxpayer money from one town and giving it to another town is not proportional. This is a clear violation of our constitution and the law of the land.

In closing I have one question to the board. Do we have a constitution, the law of the land or not?

Thank you again for giving me this opportunity to respond to this unfounded accusation. If anyone would like join our efforts to restoring our Bill of Rights and Constitutional Republic or get more information please reach out to me.

Sincerely
Raymond Howard, Jr.
NH State Representative.
/s/

Appointments

None

New Business

1. Roberts and Greene - 2019 Town Audit

T. Greene remotely joined the meeting. He explained that he is presenting the audit for the year ending December 31, 2019. He gave brief highlights of the audit. He announced that the Town was given a clear opinion for the audit. There is nothing of note. He highlighted areas of the audit. B. Holt stated that he had one concern that was on the last page but it was more or less answered. He didn't understand what that page was all about.

2. Milfoil Committee - 2021 DASH Contract - Aqualogic

D. Gould remotely joined that meeting. V. MacDonald asked where the bid packets are. D. Gould stated that he thought K. Troendle had submitted the bid packet. V. MacDonald stated that it states that they previously

accepted the bids but the BOS are the only ones who can accept them. It was brought to his attention that they are in the second year. V. MacDonald asked why they are going to a different company. D. Gould stated that the company they had been using went out of business and went out to bid. They didn't get any bids. They talked to some companies after the bid period and got two bids. L. Dionne stated that it is a unique vendor service and no one would respond to them for the services.

B. Holt made a motion to approve the Auqalogic contract for services for a PILOT program for the year 2021 which can be extended for three years as presented and P. Wittmann seconded. Roll call vote:

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

3. Milfoil Committee - Special Permit Application - SOLitude

D. Gould remained on the line. V. MacDonald asked if it was going to be done during the fourth of July shutting down all of the swim areas. D. Gould said just like last year, if it is around that time we ask people to stay away from the fourth of July.

V. MacDonald made a motion to approve the special application of SOLitude as presented and P. Wittmann seconded. Roll call vote:

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

4. Fire Department - Vaccination Distribution Assistance

J. Beaudoin, Fire Chief, remotely joined that meeting. He explained that the State is trying to find help with the vaccines. He stated that there are six people in house that are trained to give the vaccines. What he is looking for is to allow them to schedule themselves through DHHS doing it at a detail rate. It is a contract, so it needs to go before the Board of Selectmen. They are looking to make it go through the end of September. V. MacDonald asked the Chief if he looked at the contract for the Police Detail for the administrative costs. J. Beaudoin stated that he has not. B. Holt asked if these people would be going to the State sites. J. Beaudoin stated that they would. B. Holt asked who would pay for that. V. MacDonald stated that it would be DHHS. J. Beaudoin stated that the Town would pay initially and would get reimbursed. V. MacDonald asked who set up the \$45.00 an hour. J. Beaudoin stated that it was us and it can be adjusted. It can be adjusted anywhere within \$65.00 an hour. R. Wentworth how the employee would get to the job. J. Beaudoin stated they would take their own personal vehicle.

V. MacDonald made a contingent motion to have the Fire Chief meet with the Town Administrator and Finance Manager to figure out administrative costs and adjust it up to the \$65.00 an hour so the Town breaks even and doesn't cost the Town money to do it and to allow the Town Administrator to sign for the Board of Selectmen to allow the Fire Department to get this going for the epidemic and B. Holt seconded. Roll call vote:

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

5. Alton Housing for the Elderly - Annual PILOT Agreement

R. Wentworth stated this is the annual PILOT agreement. Every year it comes before the Board in lieu of taxes, the Government is willing pay us a certain amount of money will investors make money off of the elderly. V. MacDonald stated it's not just elderly, it is also low income housing. L. Dionne stated that because of federal funding she believes Section 8 needs to be included. V. MacDonald stated that he would like to see costs for this property.

V. MacDonald made a motion to approve the taxes for the Housing for the Elderly, Inc. as presented and R. Wentworth seconded. P. Wittmann stated that down the road he would like to see some figures. Roll call vote:

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

Old Business:

1. Discipline, Grievance, Complaint & Appeal Policy

R. Wentworth stated that Step #2 he does not agree with. He believes Step #3 should become Step #2. There should be no Step #2. He stated that as someone who owns a business in the private world and doesn't live in the world of government that if you come to work with a bad attitude you get spoken to. If you have problems at home you leave your problems at home. If you can't get over your problems after Step #1 maybe it's not the place that you need to work. L. Dionne stated that #1 is for the employee to grieve to their supervisor. R. Wentworth stated that he would like to take one more week to think about this. L. Dionne and L. Parker will sit down and see if it can be revamped. It will be tabled until next week.

2. Default Budget

B. Holt is looking for an update. L. Dionne stated that legal is looking into the concerns. This will be added to the next agenda under Old Business or TA Report.

3. Bay Hill Road

B. Holt asked if Google has been contacted. J. Monaco stated that he has sent the request. B. Holt stated that he would like to see a report of accidents that have happened on Bay Hill. He stated that he would like to see possibly a flashing sign.

Selectmen Reports

B. Holt had nothing to report.

P. Wittmann stated that he has an explanation for everyone. He talked to all three of our State Reps about the school funding. He handed out a paper from R. Howard to explain HR 3.

V. MacDonald stated that the Conservation board suggested that they leave any trees that are not a hazard to navigation in the river. It helps feed the fish and helps with spawning. R. Wentworth stated that he did not agree with it.

R. Wentworth stated that it was asked if the Selectmen have considered about going back to meeting every two weeks. He would consider it. He would also like to see the Emergency Committee allow in-person meetings possibly by April.

Town Administrator Report by L. Dionne

L. Dionne stated that it was her that asked R. Wentworth about switching the meetings to every other week.

L. Dionne presented Coalition Community documents. She wanted to know if the Board had any thought on participating with the group to hire a lobbyist. Does the Board want to wait. R. Wentworth stated that he would like to at some point in time. He would like to see the pros and cons of the New Hampshire Municipal Association.

L. Dionne stated that the second items has to do with tax deeded properties. There is an email at the Board's seats. There are two properties from the 2019 auction that were rescinded on. They are just sitting in limbo. She stated that there could be a remote auction with the auction company. There are also two more properties that could be added to the auction. V. MacDonald stated that the auction should be held in the fall. R. Wentworth stated that it should be in person. Suggestions were discussed as to where to hold the auction. R. Wentworth stated that he would like to see the property cards and inform the Conservation Commission and Planning Board prior to meeting with the auctioneers.

L. Dionne stated the there is a letter from Atlantic Broadband. Our contract with them is expiring in a year. There is an email from the Town of Gilford inviting other municipalities to participate in order to get a lower rate. R. Wentworth stated that he would like to have an open dialogue with citizens with their concerns of Atlantic Broadband.

Approval of Minutes

February 1, 2021 - Regular

V. MacDonald made a motion to approve the minutes of the Regular Meeting, February 1, 2021 as presented and P. Wittmann seconded. Roll call vote:

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

February 1, 2021 - Non-Public

R. Wentworth made a motion to approve the minutes of the Non-Public Meeting, February 1, 2021 as presented divulging none and P. Wittmann seconded.

Discussion:

TABLED

February 3, 2021 - Regular

P. Wittmann made a motion to approve the minutes of the Regular Meeting, February 3, 2021 as presented and V. MacDonald seconded. Roll call vote:

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

February 8, 2021 - Regular

V. MacDonald made a motion to approve the minutes of the Regular Meeting, February 8, 2021 as presented and P. Wittmann seconded. Roll call vote:

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

February 8, 2021 - Non-Public

R. Wentworth made a motion to approve the minutes of the Non-Public Meeting, February 8, 2021 as presented divulging #1 and #2 and B. Holt seconded. Roll call vote:

B. Holt, 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)

None

Non-Public Session

None

Adjournment

R. Wentworth moved at 8:07pm to adjourn. V. MacDonald seconded. Motion carried.
Respectfully submitted

Stacy L. Bailey

Stacy L. Bailey

Recording Secretary