

ALTON BOARD OF SELECTMEN
Minutes
April 15, 2019
6:00 PM
1 Monument Square
Alton, NH 03809 Approved: May 6, 2019

Chairman R. Wentworth 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 staff members were present:

Reuben Wentworth, Chairman
Virgil MacDonald, Vice Chairman
Cydney Shapleigh, Selectwoman
Philip V. Wittmann, Selectman
Paul LaRochelle, Selectman
Elizabeth Dionne, Town Administrator

Agenda Approval

C. Shapleigh made a motion to approve the agenda as submitted and V. MacDonald seconded with all in favor of the motion.

Announcements

- Town road weight limits continue to be in effect until further notice.
- 2019 Dog Licenses are available in the Town Clerk's Office and are due no later than April 30th.
- The Solid Waste Center will be closed on Easter Sunday, April 21, 2019.

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

None

Appointments:

- Parks & Recreation, Grounds & Maintenance and Cemetery Department Updates

Kellie Troendle, Parks and Recreation Director was called upon and gave a condensed report summary of the Grounds and Maintenance, Cemetery and Parks and Recreation Departments.

Discussion transpired regarding:

- Cemetery; be prepared for Memorial Day
- Veterans Plaques B & M Park; potential to work with the American Legion
- Land Bandstand; handicap accessibility with ADA compliance for rails (lakeside), lighting and painting
- Alton Bay Community Center; exterior painting using current staffing or bidding

The Summer Brochure was provided to all Board Members.

Old Business:

1. Building/Zoning Department; Excavation Operations

John Dever, Code Officer was called upon to discuss a letter he provided to the Board regarding noncompliance issues with the excavation regulations for two (2) pits who have not obtained their excavation permits. Last year conditions were imposed on the Notice of Intents to Excavate that they would be in full approval by the end of 2018; this has not occurred. A tremendous amount of work went into updating and amending the excavation regulations so that we would be current. Some of the motions were taken care of but not all is complete; most of the remaining is simple administrative work. In addition, a \$1,000 bond needed to be provided for one of the pits,

the other has already provided a \$10,000 bond. There have been many opportunities for providing the necessary items however; they still have not complied. The permits, once conditional approvals are met are ready and waiting to be picked up and would be good for 50 years. J. Dever is requesting from the Board; they have the authority to decline signing the Intent to Excavate and that they strongly consider not signing these, which might place leverage on their activities to make them compliant. One party is coming before the Planning Board for a conceptual consultation to go over his request to mine to a depth of 60 feet into the ledge below the existing excavation and cannot do this without a permit. Presently property taxes are past due with a potential for deeding in September and a possibility to hold back on permitting until taxes are satisfied. At this time, Deb Derrick, Tax Assessor was called to the table to discuss and was asked whether the permits could be held for past due gravel and current use taxes. It is a tax issue; they file a bond in order to cover their gravel tax, what they owe for taxes you cannot claim based on excavation. A question was posed, can the permit be held until taxes are paid? There is a thirty-(30)-day period in which you need to write a letter specifically stating the reasons for declining. If they have not fulfilled their obligations, you can issue a cease and desist to stop all work until the criteria is met. The taxing and the planning are two (2) entirely different issues. They are operating without a license. All that these people need to do is provide a bond in the amount of what they plan to excavate at 2 cents per cubic yard. It was noted, that part of the Coffin Brook property was taken out of current use in 2016 to increase the size of the pit but he has not paid the current use tax on that area. The only tax he is up to date with is the excavation tax. Also noted was that the Town uses this pit quite a bit for gravel for the Town roads. If a Notice of Violation is issued they have a thirty-(30)-day deadline to come into compliance, after this period a cease and desist will be ordered and papers will be filed in court. This is the intention.

C. Shapleigh made a motion to comply with J. Dever's letter of request with its conditions and proceed forward, as stated, for both pits to come into compliance with a thirty-(30)-day deadline, after this period a cease and desist will be ordered and papers will be filed in court. P. LaRochelle seconded.

Further Discussion: it was noted that this issue will be brought forward at the Planning Board meeting tomorrow evening. D. Derrick commented that this is a second separate issue; you also have two (2) Notice of Intent to Excavate which are separate from what J. Dever is doing so you can sign and go ahead or decline these which are on the Consent Agenda, Green Oaks Realty Development and Scott and Penny Williams. R. Wentworth stated it will be recommended to be declined.

At this time, the motion on the table was called with all in favor.

2. Highway Department; 2007 Case Backhoe

Warren Dahl and Keri Gordon from the Highway Department were present to discuss. K. Roberts is requesting from the Board how to proceed with the Case Backhoe whether to sell at auction, trade or have a sealed bid setting a minimum price. The trade in from Case came in at 5K; this is all they have to base this on; discussion ensued regarding how to handle this. V. MacDonald mentioned bringing it to the State Auction. It could be included with the bid for the new backhoe to see where it comes in with a right of refusal.

It was the consensus of the Board to tie/add this in to the bid specs.

3. Highway Department; Backhoe Lease/Purchase Bid Specs - Approval

Warren Dahl and Keri Gordon from the Highway Department were present to discuss. R. Wentworth questioned whether the specs were written and generic enough so that any company could bid on the new 4x4 backhoe loader. W. Dahl stated that the specs are generic, were taken offline and are as broad as possible. These were reviewed by K. Roberts. Accessories were discussed along with the operation and cross training of the machine for proper usage. The expected close date would be April 30th in order to allow it to come back to the Board for the next agenda in May. Advertising was questioned; it will be sent to vendors (JCB, Case, CAT, John Deere) it will be in two (2) newspapers (LDS, Baysider-Not recommended), website, bulletin boards, etc. The close date is April 30th with an opening of April 30th at 2:00 PM following the close then a recommendation submitted to the Board for the first meeting in May.

P. Wittmann made a motion that the 4x4 Loader Backhoe be sent out for a sealed bid as written and C. Shapleigh seconded with all in favor of the motion.

4. Highway Department; Rock Crushing Bid Specs - Approval

Warren Dahl and Keri Gordon from the Highway Department were present to discuss. It was previously approved for K. Roberts to crush everything in the Rines Road pit. This will also have a closing date of April 30th at 2:00 PM (corrected specs were provided to the Board reflecting that date).

C. Shapleigh made a motion to approve the Rock and Asphalt Crushing sealed bid as submitted and V. MacDonald seconded with all in favor of the motion.

Noted: It will be sent to two (2) newspapers and all past vendors and postings as usual.

5. Gilman Museum RFP - Inside & Outside

Kellie Troendle was called to the table to discuss; L. Dionne noted this was brought forth by V. MacDonald however, R. Wentworth planned to tie this into the Alton Bay Community Center (ABCC). Last year this was brought forth but by the time, this came to fruition the interior work got included with the exterior. When the estimates came in there was a cost for a lift included in the costs. The Board was told that one of the staff members had a fear of heights. Tying this to the ABCC by using your staff, the building is higher than the Museum and he wondered how this would be accomplished. A seasonal person was hired last year that has experience with painting and the town custodian likes to paint so they would be the ones asked to perform the work, when the Museum was brought forward we did not have that staff person. It would appear that you would have the staff person to do both; Kellie noted that that person has not been hired yet. In addition, it was the plan to use that person to help the Cemetery staff due to no applicants at this time. Different avenues were discussed, whether to put both the buildings out to bid, one building out hold on the other, Town staff performing the work etc. The exterior of the Museum is the most crucial. P. LaRochelle asked the Board if they would be willing to entertain volunteerism with a possibility that there might be a Committee that might be willing to take on doing the community center or the trim at the Museum. R. Wentworth has no issue with holding off on sending this out to bid to see if anyone is interested in volunteering. P. LaRochelle knows that there are a lot of people that might be willing to do this and be eager to help the Town and feels that if it is put out there you might be surprised how many people might come forward. Liability will be a factor however the Town does have a volunteer waiver form for that purpose which would need to be completed.

It was the decision of the Board to try the volunteer option with the Museum. L. Dionne offered to create something to put out to the public. This item will be tabled for thirty (30) days and if it doesn't work then it will need to go out to bid. It was recommended to hold off on the ABCC to see how this transpires; K. Troendle noted the intent was for it to be a fall project.

6. Water Bandstand Event Waivers

This item is in reference to the Water Bandstand Committee holding concerts on the Water Bandstand. L. Dionne provided an overview of what needs to be done; you do not need to change the policies you just need to waive the rules of such.

1. **Change the Committee purpose.**

2018 Warrant Article #61 purpose has been completed. Change the purpose of the committee or dissolve the committee and create a new committee with a new purpose of fundraising, hosting Water Bandstand Day and band concerts during 2019 summer. ****ADD: All Maintenance

2. **Waive** the BOS no trespassing order on the water bandstand for Water Bandstand Day and summer concerts.

3. **Waive** and permit sections in the "Ordinance Relative to the Regulation of Town Property and Prohibiting Disorderly Conduct in Certain Public Places".

• **Waive:**

4.2,D Gatherings of more than 20 people.

4.2,E Use of Town property inconsistent with signs, intended uses, etc.

4.2,F Broadcasting or emitting amplified sound.

5.3 Town Dock usage of more than four hours.

5.5 Town Dock usage first come, first serve basis.

5.6 Commercial use.

Any other section that may apply.

- **Permit:**

4.1,C. Erecting or displaying banners (if this is done).

Any other section that may apply.

4. **Waive** the “Noise Control Ordinance” in accordance with “Section IV Waiver”.

- **Waive:**

B Musical instruments, radios, etc.

C Loud speakers, amplifiers, machines

M Drums or other instrument or device

Any other section that may apply.

These are the items that are necessary and were previously asked for by the Board for either waiving or approving. Comparisons were made in reference to the Land Bandstand opposed to the Water Bandstand and what the differences would be. After the back and forth discussions between the Board members, R. Wentworth thought that this should be approved as submitted; it will cover everything that is on the Water Bandstand and it protects the Town. One addition was made to Item # 1 adding All Maintenance.

C. Shapleigh made a motion to approve the waivers recommended by L. Dionne for the summer concerts on the Water Bandstand as submitted and P. Wittmann seconded with all in favor of the motion.

C. Shapleigh made a motion to change the Water Bandstand Committee purpose of performing all maintenance, fundraising, hosting Water Bandstand Day and Band Concerts for band during the 2019 summer and P. LaRochelle seconded with all in favor of the motion.

New Business:

1. Police Department; Approved Warrant Article #17, LiveScan Purchase - Approval

Police Chief Ryan Heath was called to the table to discuss the purchase of the Idemia LiveScan cabinet model. This is compliant with NH Tri-State, State Police AFIS System which is what it will be hooked into. J. Monaco recommended that they add in an additional 2-year warranty above the original one-year service. The cost of \$24,935 is within the approved Warrant Article, which was approved for 25K and is the only company that is compliant through the State therefore it did not go out to bid.

C. Shapleigh made a motion to approve the purchase of the LiveScan cabinet model as presented and P. Wittmann seconded with all in favor of the motion.

2. Police Department; School Resource Officer Conference - Approval

Police Chief Ryan Heath stated that this is a partnership that has been established and split three (3) ways, between the Police Department, Alton Central School and Prospect Mountain High School. This is for the Resource Officer to attend the Annual NASRO Conference in Tennessee. They are a certifying authority in the US for SRO's and provide the advanced training and the basic level certifications which Officer Guest has obtained her training. This is great opportunity with a cost of approximately \$2,052 with a split cost of \$684.

V. MacDonald made a motion to allow the SRO Officer to attend the Annual NASRO Conference in Pigeon Forge, TN with a total amount of \$2,052 to be split three (3) ways between the Schools and Police Department and P. LaRochelle seconded with all in favor of the motion.

3. Planning Department; Town Consultant Engineering Firm Contracts - Approval

At the Planning Board meeting on March 19th the board voted to continue working with two (2) town engineers, KV Partners, LLC and Northpoint Engineering, LLC; contracts were provided for signing. They seem to be doing a nice job and they have been making it easier for the Town.

V. MacDonald made a motion to allow the contracts for KV Partners, LLC and Northpoint Engineering, LLC as recommended Engineers for the Planning Board and P. Wittmann seconded with all in favor of the motion.

4. Special Event Application; American Legion, Memorial Day Parade 5/27 & Request for Board Participation

C. Shapleigh made a motion to approve the Special Event Application for the American Legion for the Memorial Day Parade and P. Wittmann seconded with all in favor of the motion.

Further Discussion: Attendance for the parade was discussed and as follows: R. Wentworth, V. MacDonald, P. Wittmann and P. LaRochelle will attend. C. Shapleigh was unsure at this time.

Selectmen Reports

P. LaRochelle reported that the ZBA met, reorganized and that they are still one (1) member short. They reviewed five (5) cases, 2 were special exceptions three (3) were variances. In addition, he will be meeting with Marine Patrol along with Jonathan Downing regarding the waterski show for the Water Bandstand Celebration Day. V. MacDonald requested that they ask if the no wake zone signs could be moved out a bit from the Water Bandstand. No other work has been done on the lights, some paint chipped over the winter on the deck and it appears the northeast corner seems to have lifted so it will need to be inspected before any events.

P. Wittmann reported he met with the OHWC with discussions on the scheduled events, the booklet and sponsors and a list of themes, which possibly will be Alton Wildlife. P. Wittmann believes that the ABA is planning to bring the parade back.

C. Shapleigh reported that none of her committees have met.

V. MacDonald had nothing to report.

R. Wentworth stated the Budget Committee has not met yet noting that Pat O'Brien is now the Chair. In addition, at the last meeting, it was discussed that the Selectmen meet with departments once or twice a month then report back to the Select Board. This will be revolving and changed every three (3) months. The assignment are as follows:

- V. MacDonald; Water (until dissolved), Highway Department
- C. Shapleigh; Fire Department
- R. Wentworth; Solid Waste Center
- P. Wittmann; Parks and Recreation
- P. LaRochelle; Police Department
- All Selectmen have Town Hall

This will be revisited and rotated at the end of June.

Further Discussion: P. LaRochelle asked if he could add a comment; regarding the Water Bandstand Celebration Day, all members of the Board of Selectmen are invited to attend the event. He would like to know if anyone would like to speak that day. P. Wittmann stated he would be there.

Town Administrator Report

Structure Fire

Fire Chief, Jim Beaudoin was called upon to give a brief overview of the devastating fire. A report was provided which answered many of the questions and concerns that came up in reference to the fire that took place on March 29th at 293 Main Street; the Chief was thanked for the great report, it was much appreciated! There was no

lack of access to the water; safety was the first concern. There was plenty of pressure and was actually boosted by the Water Department. In addition, the Chief is meeting with the dispatch center this week and will be adding the Water Department automatically for notification.

Parks and Recreation Commission - Alternates

L. Dionne brought forward that there are two (2) Parks and Recreation Commission Alternate positions open at this time. The Commission is still seeking volunteers and are currently looking at applicants and will be making a recommendation to the Board of Selectmen. R. Wentworth suggested that Jonathan Downing be appointed; he previously showed interest at the last meeting. L. Dionne requested that the Board consider waiting until the Commission makes their recommendation. It was noted that the positions previously presented were the regular Board/Commission positions. All information will be presented at the next meeting.

Workshop Date - New Riverside Cemetery

Dates for a Workshop were requested for the work at the New Riverside Cemetery to meet with the Highway Manager and the Parks and Recreation Director. This will be for review of the location and possible timelines. The date agreed upon is Wednesday, May 8, 2019 at 6:00 PM, onsite.

Water Quality, DES Report - Alton Bay

Kellie Troendle was called to the table regarding an email that was received from DES. DES recommended that a change be made in the water sampling for the Town facilities. They will be discontinuing the Public Swim Docks due to them being mostly clean and good; they feel it is no longer necessary to continue with the testing. They will continue to monitor the Town Beach once a month. DES identified the following:

- **ALTON PUBLIC DOCKS BEACH – WINNIPESAUKEE: We will no longer sample this beach as it is one of the cleanest swimming areas we have sampled in the state- >95% Clean since 2003 with over 150 samples.**
- **ALTON TOWN BEACH - LAKE WINNIPESAUKEE: We will continue to sample this beach once per month during the swim season ~ 90% Clean since 2003 with over 150 samples.**

This is great news and proves the Bay is clean.

V. MacDonald asked K. Troendle if the Town could duplicate the signage at Mill Pond and post all sides of the pond or get ahold of DES to put more signs in the area. L. Dionne offered to contact DES.

Approval of Consent Agenda

R. Wentworth noted that on the Consent Agenda under Notice of Intent to Excavate Green Oak Realty Development LLC and Scott and Penny Williams will not have any action taken tonight. Remaining is Notice of Intent to Excavate; William J. Lionetta & Tracy Chrisenton, Excavation Tax Assessment as posted, Veteran’s Credits Applications as posted, Elderly Exemptions as posted and Yield Tax -Timber as posted and Number 2 & 3 has been moved to Non-Public Session.

C. Shapleigh made a motion to approve the Consent Agenda excluding Green Oak Realty Development LLC and Scott and Penny Williams under Notice of Intent to Excavate and Items 2 & 3 and V. MacDonald seconded with all in favor of the motion.

1. Notice of Intent to Excavate

William J. Lionetta Jr. & Tracy A. Chrisenton	Drew Hill Road	Map 19 Lot 34-A	Tax Year 2018
Green Oak Realty Development LLC	398 Suncook Valley Road	Map 5 Lot 72	Tax Year 2019

Scott & Penny Williams	Frank C Gilman Highway	Map 8 Lot 3-2	Tax Year 2019
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Excavation Tax Assessment

Green Oak Realty Development LLC	398 Suncook Valley Road	Map 5 Lot 72	Operation #18-011-01-E
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Veteran's Credits Applications

Michael L. Monfette	6 Bonny Drive	Map 70 Lot 57	\$750
David Tuttle	55 Valley Road	Map 6 Lot 34	\$750
Eric Breslin	587 Suncook Valley	Map 6 Lot 20-1	\$750
Kevin Clouthier	37 High Point Drive	Map 11 Lot 13-20	\$750
Ronald Arsenault	400 Powder Mill Road	Map 12 Lot 94-3	\$750
Thomas D Fry	42 Stagecoach Road	Map 21 Lot 23	\$1400
Adam Painchaud	22 Range Road	Map 9, Lot 59-3-1	\$1400

Elderly Exemptions

Vivian G. Lambert	139 Lily Pond Road	Map 12 Lot 22-9	\$40,000
James F. Doughty	284 Old Wolfeboro Rd	Map 12 Lot 46	\$40,000

Yield Tax – Timber

J. Kania Chester Trust	Map 9 Lot 32	Operation #18-011-10T	\$377.54
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Items 2 & 3 - Removed - Moved to Non-Public Session.

Approval of Minutes

April 1, 2019; Public Session

C. Shapleigh made a motion to approve the minutes of Public Session, April 1, 2019 as presented and P. LaRochelle seconded with all in favor of the motion.

April 1, 2019; Non-Public Session I

C. Shapleigh made a motion to approve the minutes of Non-Public Session I, April 1, 2019 releasing #1, Item 1 and R. Wentworth seconded with all in favor of the motion.

April 1, 2019; Non-Public Session II

C. Shapleigh made a motion to approve the minutes of Non-Public Session II, April 1, 2019 releasing #1 and P. LaRochelle seconded with all in favor of the motion.

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

Bob Holt approached the Board he voiced confusion asking for clarification on the 5K backhoe issue; clarified no less than 5K on a sealed bid will be accepted. Also questioned was the cost of the LiveScan Unit; amount given \$24,935 includes 3 year warranty and he questioned if a spreadsheet would be compiled once the bids were received for the backhoe; clarified and referred to K. Robert for further questions.

Loring Carr approached the Board noting that he has been hearing through “coffee talk” that Town Employees feel that they are not going to be getting any raises this year because of the Default Budget, specifically due to him and some to the Budget Committee. He read an excerpt from the NHMA Article he has been referring to and stated that it is up to the Board whether to give raises or not; it is a bottom line formula and feels it was not followed. In addition, he voiced that it would be nice to have a press release about the DES report regarding the water quality in the Bay. R. Wentworth thought that either the Town Administrator or the Parks and Recreation Director could look into doing that; referred to K. Troendle.

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

None

Non-Public Session:

R. Wentworth made a motion to enter into non-public session pursuant to RSA 91-A:3, II (a) and (j) at 7:43 PM and C. Shapleigh seconded. The Board was polled in the affirmative by roll call with all in favor of the motion.

P. LaRochelle, yes
P. Wittmann, yes
V. MacDonald, yes
C. Shapleigh, yes
R. Wentworth, yes

R. Wentworth moved at 8:30pm to exit nonpublic session. V. MacDonald seconded. Roll call vote:
C. Shapleigh - yes V. MacDonald - yes
P. Wittmann - yes P. Larochelle - yes
R. Wentworth - yes Roll call vote carried unanimously.

R. Wentworth moved to “not divulge” these minutes, with the exception of #1 and #3, because divulgence of the information likely would affect adversely the reputation of any person other than a member of this board and render the proposed action of the board ineffective. V. MacDonald seconded. Roll call vote:
C. Shapleigh - yes V. MacDonald - yes
P. Wittmann - yes P. Larochelle - yes
R. Wentworth - yes Roll call vote carried unanimously.

The Board briefly discussed changing the 5/8/19 workshop time from 6:30pm at New Riverside Cemetery to 5:30pm at the Town Hall. Once the business to be discussed at the Town Hall has concluded, the Board will recess and reconvene at the New Riverside Cemetery for a site visit and discussion.

V. MacDonald moved to freeze spending except for the day-to-day spending. P. Wittmann seconded. Motion carried.

V. MacDonald moved at 8:38pm to adjourn. P. Wittmann seconded. Motion carried.

Respectfully Submitted,

Mary K. Jarvis
Mary K. Jarvis
Recording Secretary