

ALTON BOARD OF SELECTMEN

Meeting Minutes

April 21, 2014

6:01 PM

1 Monument Square

Alton, NH 03809

Approved: May 19, 2014

R. Loring Carr convened the meeting at 6:01 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:

R. Loring Carr, Chairman
Marc DeCoff, Vice Chairman
Cydney Johnson, Selectman
Lou LaCourse, Selectman
E. Russell Bailey, Town Administrator

Approval of Agenda

E. Russell Bailey requested adding under new business #5 Police Vehicle Equipping and Cydney Johnson requested adding under old business #6 Committee Assignments.

Marc DeCoff made a motion to approve the agenda as amended and Cydney Johnson seconded with all in favor of the motion.

Announcements by R. Loring Carr

There will be a Public Hearing held on Monday, April 28, 2014 at 5:30 PM on the proposed renewal of the MetroCast Franchise Agreement.

E. Russell Bailey announced that the week of June 23, 2014; Stockbridge Corner Road will be closed for one (1) week; this is in relation to the State project on Route 28 heading toward New Durham.

Appointments: Snowmobile Trail

This appointment was scheduled due to several letters of concern received from residents on Rand Hill Road based on the Board's approval of a partial trail to run along the road. Concerned residents as well as the Snowmobile Club were notified that the issue would be discussed tonight.

R. Loring Carr invited the public to come forward beginning with the residents of Rand Hill Road to hear their concerns.

Linda Neeley of 239 Rand Hill Road approached the Board voicing her concerns. Linda and her husband moved to Alton in 2004, she works from home reporting to four attorneys and a Forensic CPA out of CA. When the trail ran behind the house there wasn't a concern but now that it has been relocated to the front of the house she has several reasons for being upset; the permission granted was conditional upon assurance that none of the neighbors or themselves would be disturbed, she was told twice that Melissa and Matt George and Denise Foster were to be contacted; but they weren't. Due to her work there is no room for error and she does not need any noise, lights, interruptions or disturbances of mind with a possibility that there may be strangers and trespassers on her land. She is asking that the Snowmobile Club to remove any signs from their trees, they are misleading and only draw attention to the hacked pile of fallen wood and stumps that were given them; stating that this is not the definition of groomed trails.

Cydney Johnson asked for clarification on the verbal agreement.

Mrs. Neeley stated that it was only a verbal agreement that they would consider and most likely would give permission but wanted them to know that she and her husband do support the Club.

Cecil Neeley approached the Board and would like to rescind the consent to use their property for part of the trail.

Denise Foster of 225 Rand Hill Road thanked and approached the Board with her concerns. The right of way access was granted in January of 2013; clearly the Board wouldn't have known the impact this would have, asking for the Board to rescind the right of way access. She outlined the past two (2) winters; the first winter the snowmobiles came down the street so we learned of the temporary access followed by in the fall when the construction began on the existing foot path this indicated and was clearly marked that this was a snowmobile trail. Her house is the closest to the road, on level ground; her livelihood is being dramatically impacted by the snowmobile trail passing in front of her home. As a Senior Cardiology Manager, working from home, noting that from a noise prospective she has no room for error in her work. Asking the Board to kindly rescind the right of way access and restore what was taken from her two (2) years ago. Also, she related the noise of snowmobiles to that of a chainsaw.

Cydney Johnson questioned if the signage clearly shows the trail to be across the road.

Ms. Foster explained that the original trail came down the road perpendicular to Lakewood Avenue, the trees were cut, dirt brought in and the bridge was widened which brought it within 50 feet of her property line. It was moved

across the street which has not been helpful. Also, the State may be looking into any environmental impacts as it is very wet in the area.

Melissa George of 237 Rand Hill Road approached the Board with her concerns. The noise levels are not as bad for her but her concerns are the riders on her property. The snowmobiles ride along the pond which prompted her to put up no trespassing signs and she doesn't like the signage on her property and doesn't feel she should have to put up these signs. Another concern is safety, the groomer comes through and there is snow completely covering one side of the travel lane making it difficult to see where the road ends and the ditch begins.

At this time R. Loring Carr opened the floor to the Snowmobile Club.

Bob Bergeron, Trail Master of the Mt. Major Snowmobile Club and Roger Sample presented a map of the area in question which showed the original route down Rand Hill Road. The lots were defined as to who owned each parcel with Roger Sample explaining how the trail runs the road.

Marc DeCoff questioned if this was a temporary easement for accessing and riding the town road right of way and asked how long of a timeframe it would be used that way.

Roger Sample stated that the club is trying to get permission from a landowner to get into the back of the properties but the owner will not let them do so.

Bob Bergeron mentioned that a small portion of land formerly owned by Steve Gray would be ideal but the new landowner who lives in Texas doesn't want the land used. He had given the club permission then denied and rescinded that right before the season began. They are actively seeking other permissions as necessary and don't believe that this property owner would allow them that right. There's over 7000 miles of snowmobile trails in the State and comparatively speaking, the noise to motorcycles, aircraft etc. is relatively low. They have spent a fair amount of money to re-route the trail trying to find the most rural places to get off the roads. We are asking the residents to bear with the club and its 420 or more members especially for the local people. This is not a little issue to shut this trail down.

Cydney Johnson noted for full disclosure, she is a member of the club and is glad to see that this is not adversarial type of conversation between the homeowners and the snowmobile club. Cydney was on the Board when the temporary easement was granted; she is confused and questioned the fact that there seems to be confusion regarding this being a temporary easement.

Bob Bergeron stated that all trails are temporary, we all know what temporary means but it is always with the understanding that they are the property

owners and that the trail may be shut down at any time. We understand that the trail is temporary for as long as it works and we would like to keep the trail open until there is a better alternative.

R. Loring Carr recalls that when the previous approval was granted the club had asked to put a shelf in to get the trail off the road.

Cydney Johnson questioned what would happen if the right of way in front of these homeowners changed. Bob Bergeron referred to the map stating that portion of the trail would close and trail D would cease to be used then there would be no way to get to Alton Bay. The club cannot officially make trails on the lake. They have not gotten all the permissions for an alternate route which is very close to being parallel to where it runs now.

Lou LaCourse questioned if it was possible to buy that portion (sliver) of land.

Bob Bergeron explained that the club tries not to do this and that every person who grants permission is covered by the State umbrella policy which is a two million dollar liability policy before a homeowners insurance kicks in.

Fish & Game Officer Ron Arsenault who patrols this area was in attendance noting that he was made aware of some issues on Rand Hill Road. This area is posted at 10 mph. A speed of 40 mph would be considered excessive and at that point he would issue tickets, noting none were issued. In his opinion it would be best to move the trail into the woods.

Marc DeCoff asked if Fish & Game would be willing to send a letter to the landowner.

Not knowing, Officer Arsenault stated he would be willing to talk with the landowner on the phone about the use of his land for the trail and see what his issues are.

Roger Sample stated that the proposed piece of land has no value; it is totally useless and very wet.

Denise Foster again approached the Board with, she is not looking to have the right of way off the road to be moved across the street, she is looking for it to be gone.

Cecil Neeley stated that the letter that was sent to Mr. Bergeron was ignored and he never heard any response.

Charles Weston from Alton Mountain noted that trail "D" comes through his property. The snowmobile club people are some of the most considerate people. He has never had any complaints and the noise is minor. There have been no accidents in his 14 years of living there.

Jen McCullough from Lakewood Drive uses the trail to access to the trail stating that there is no way to go 35 mph possibly 15 mph as it is just for accessing the trail system.

Cydney Johnson requested that Roger Sample go to the map to pinpoint the properties in question (22, 14 & 15) to get a visual.

Virginia Bergeron, President of the Snowmobile Club approached the Board. There are 420 members of the club that are in favor of the trail. Also, she feels that the comparison of a snowmobile to a chainsaw is an unfair comparison.

Denise Foster requested of the Board that this needs to be resolved quickly in order to be taken out of the line of fire.

Hunter Taylor voiced that he is astounded by the issue and has nothing at stake in this. He hopes that the Board will not rescind the right to use that stretch of road, it would be very unfair; these residents just need to live with the issue as part of living in NH in the winter.

R. Loring Carr noted that the Board will take all of this into consideration and consult with the Town Attorney in reference to the issues and get some resolution. Some ideas have been brought forward regarding a letter perhaps from Fish & Game. It was also requested that a map be provided to the Board from the snowmobile club to get a better understanding of this trail in connection to the rest of the trail system.

R. Loring Carr took a two (2) minute recess. The Board reconvened at 7:15 PM.

E. Russell Bailey handed out a letter from Mr. Cummings in support of the trail system in question.

Selectmen's Committee Report

R. Loring Carr reported on the Old Home Weekend Committee meeting. He passed out the minutes from the last meeting. They are pursuing fundraising for the event.

E. Russell Bailey noted that there is an account already set up from a few years ago with \$260.00 in the account. In talking with the Finance Director and the Treasurer the checks should be payable to: Town of Alton-Old Home Day Weekend or something to that nature. If we are going to put the money into the existing account we will get the official information and ask the Board to vote to authorize changing the name on the account. Also a Bingo Game is being worked on, hopefully this will be through Fun Spot and a Car Show is being talked about noting Kellie is working on a calendar of the events.

Town Administrator's Report and Updates by E. Russell Bailey

There was an incident down at the Bay this winter with damage to a table by the snowplows. A quote was received in the amount of \$110.00 for the damages.

Marc DeCoff made a motion to authorize issuing a check in the amount of \$110.00 to replace the table and Cydney Johnson seconded with all in favor of the motion.

Marc DeCoff mentioned asking the owner to relocate the tables next year and Lou LaCourse questioned what was going to happen with the table? E. Russell Bailey hopes that it may be fixed and used somewhere within the town.

A draft was provided of a form for requesting documents under the Right to Know law. We will formalize this draft request if the Board approves it. E. Russell Bailey will review the request form with all the Departments and Attorney Sessler has already reviewed and added the 5th paragraph. The form originally came from Rochester.

R. Loring Carr would like for something regarding interoffice/department communications, memos being on the form. E. Russell Bailey will check on this with Attorney Sessler.

Marc DeCoff made a motion to accept the Right to Know request form policy with the research on the interoffice question and Lou LaCourse seconded with all in favor of the motion.

Several years ago the Board authorized the Assessor to sign the Intent to Cuts due to time constraints he is now asking the same for the Intents to Excavate. The law allows them to be signed by either the Assessor or the Town Officials.

R. Loring Carr brought forth a point of making sure that they are reviewed by the appropriate parties such as the Conservation Commission, Planning etc. This is a state form in which we are obligated to use. E. Russell Bailey will talk with Tom about this concern as he may already be addressing the issue.

Marc DeCoff made a motion to allow Tom to sign as the Assessing Official the Intents to Excavate and Cydney Johnson seconded with all in favor of the motion.

We worked with the SAU and provided them with documents for the School Bond Counsel showing \$318K which is all water debt.

At the last meeting appointments to committees was previously addressed; there is no conflict by statute with Cydney Johnson serving on the Parks and Recreation committee and being the Selectmen's representative.

Marc DeCoff made a motion to appoint Cydney Johnson to the Parks and Recreation commission and Lou LaCourse seconded with all in favor of the motion.

Also another member has resigned so we will be coming back to the Board again for another appointment.

The Landfill report was sent out to DES; they came back wanting more details in the operating plan more like a manual for employees. The Landfill Annual report has been filed with no major changes in contamination and the new testing will begin in May.

Previously approved by the Board was a letter for filing for a grant for Sunset Shores from the Mt. Major snowmobile group. There is a form that needs to be signed for the grant, it was requested that the Board authorize E. Russell Bailey to sign the form for the grant.

Cydney Johnson made a motion to authorize E. Russell Bailey to sign the letter and R. Loring Carr seconded. The vote was 3 in favor; 0 opposed and 1 abstention, Lou LaCourse.

When the encumbrances were done last year there was a hold put on the Mack truck hood due to the amount of money that the insurance company gave us; we argued that amount and have received another check for \$2,708.00 for a total of \$4,725.00. The encumbrance is \$4,308.00 so we now have more in checks than originally needed; we are requesting that the money be released.

Cydney Johnson made a motion to release the encumbrance and Marc DeCoff seconded with all in favor of the motion.

Last fall there was a problem with drainage at the town beach. Photos were provided which showed erosion to the right on the property line of the former Downing Landing property along with shifting at the end of the wall. E. Russell Bailey talked with Cindy Balcius; she needs to research her files regarding the issue. At a minimum we need to add larger rip rap as the kids were using the rocks. Will need to do something there in the near future and hopefully I will have a recommendation at the next meeting a recommendation.

Public Input I

None

Approval of Selectmen's Minutes

Cydney Johnson made a motion to approve the minutes of April 7, 2014; Public Session I as presented and Lou LaCourse seconded with all in favor of the motion.

Marc DeCoff made a motion to approve the minutes of April 7, 2014; Non Public Session releasing #2, 4 & 6 and Cydney Johnson seconded with all in favor of the motion.

Cydney Johnson made a motion to approve the minutes of April 7, 2014; Public Session II as presented and Marc DeCoff seconded with all in favor of the motion.

Marc DeCoff made a motion to approve the minutes of April 10, 2014; Public Workshop Session I as presented and Cydney Johnson seconded with all in favor of the motion.

Cydney Johnson made a motion to approve the minutes of April 10, 2014; Non Public Workshop Session opening #2 and Marc DeCoff seconded with all in favor of the motion.

Old Business:

Town Policy

This policy has been discussed several times regarding employees with guns on town property; Attorney Sessler has reviewed the policy; it originally was written for the Fire Department but should be a town policy for all departments. The Fire Department can then incorporate it into their SOG with no changes.

R. Loring Carr made a motion to approve the policy with the grammatical corrections and Marc DeCoff seconded with all in favor of the motion.

Private Detail Policy

R. Loring Carr believes that this should be moved to Non Public Session.

R. Loring Carr made a motion to move this item to Non Public Session and Cydney Johnson seconded. The vote was 3 in favor of the motion; 1 opposed, Marc DeCoff.

Project Updates

Monument Square; we are moving along out front with the project. The curb and cement bids are due the end of the month; we will need to expedite the approval. The water lines will begin this week and the drainage next week. It appears that we are looking good for Memorial Day pending Mother Nature.

Sidewalks; met with TDS, NH Electric Coop and MetroCast; the 2 poles needs to be removed at the Route 140 intersection and the easements have been granted which should help expedite things. A layout of the museum building and property was provided which show in the left hand corner a pin and a pole. The electric company wants to put in a new pole and we would like to cut the trees down then level it out and make parking spaces (possibly 3-4 spaces) depending on the price. Also, there would be a pole on our property to light the intersection and the building.

Marc DeCoff made a motion to cut the trees, add the parking lot out back, remove the poles, rounding the corner and add the new light (pending the price) and Lou LaCourse seconded with all in favor of the motion.

Roads; an up to date overview was provided for the roads that were already approved. The overlay has been done on Trask Side Road; Depot Street will be done tomorrow and Bowman Road. The funding for roads is one million one hundred twenty eight thousand dollars (1,128,000.00). These are the rough numbers for the different projects that are already approved. The total cost including the overlays and adding a 10% contingency is \$677,077.00 which includes the funding for the 3 road surveys, renting the excavator and all the projects including Trask Side Road, Sidewalks, Senior Center, Hamwoods Road, Echo Point Road, Dan Kelly Drive and Abednego Road. Site visits were mentioned but no decisions need to be made tonight and other roads were discussed. We don't have the funding for them this year but a site walk needs to be scheduled. This will be tabled for the moment to allow Cydney to obtain her calendar.

Town Hall Roof; the low bidder for the roof was notified we asked them to get us a price on the metal roof; his comment was "it probably will be very high", he will obtain the price.

Highway Truck; the bid is out on the truck and is due in on May 7, 2014.

Pending Projects; other draft bids are forthcoming for the water bandstand, highway roof, foundation for the Senior Center. The survey work bid which was previously approved by the Board needs to be approved.

Marc DeCoff made a motion to approve the bids for Lily Pond Road, Woodlands Road and Chestnut Cove Road to determine the road layout for the travel way,

right of way for the town and Cydney Johnson seconded with all in favor of the motion.

Stockbridge Corner Road Update

The closure has already been approved and is being coordinated with the State contractor. A closure letter will be sent to the all Alton residents of Stockbridge Corner Road and Valley Road. Police and Fire have been notified and they will talk about the issue with New Durham. The re-routing will be possibly Berry Road to Route 11 or Berry Road to Prospect Mountain Road making sure that we keep a close watch on the re-routed roads. It would be best to get a sign out on Route 11 regarding the closure; we will talk with them and get a report back to the Board.

Marc DeCoff made a motion to approve the letter being sent to residents and Lou LaCourse seconded with all in favor of the motion.

Roberts Cove Beach Sign

Quotes have been obtained for the new sign in the amounts of \$790.00 for a basic wood sign or \$1,800.00 for a composite sign. The sign is very similar to the one that is there now with a little language added which supports the conditions of the easement.

R. Loring Carr made a motion to go with the red cedar sign in the amount of \$790.00 and Marc DeCoff seconded with all in favor of the motion.

Committee Assignments

Cydney Johnson brought forward that she was assigned to the Old Home Weekend Committee but cannot make the meetings which are scheduled at 8:00 AM due to her work schedule. R. Loring Carr noted that it was also a problem for him. The committee is now going to alternate the meetings with every other one to be held at 5:30 PM. Cydney Johnson will be happy to attend the 5:30 PM meetings.

New Business:

Land Use Items

Marc DeCoff made a motion to approve the 2013 Excavation Warrant for Map 8 Lot 3-2 for \$43.40 and Map 5 Lot 72 for \$464.54 and R. Loring Carr seconded with all in favor of the motion.

Marc DeCoff made a motion to approve the 2013 Timber Warrants for Map 1-9 for \$242.14, Map 1-6 for \$2,428.36, Map 1-7 for \$1,066.67 and Map 14-6-1 for \$351.41 and Lou LaCourse seconded with all in favor of the motion.

Humane Society Agreement

This is the Annual Humane Society Agreement; it's the same price, it's in the budget and needs approval of the Board and authorization for E. Russell Bailey to sign.

Cydney Johnson made a motion to approve the Humane Society agreement for the 2014 town contract in the amount of \$800.00 and authorize E. Russell Bailey to sign and Marc DeCoff seconded with all in favor of the motion.

Appointment of TAC members

This is for the Regional Planning Commission Transportation Advisory Committee (TAC).

Motion to appoint Ken McWilliams as representative and John Dever as alternate to Lakes Region Planning Commission Transportation Advisory Committee and Cydney Johnson seconded with all in favor of the motion.

Old Home Day Parade Application

Marc DeCoff made a motion to approve the Special Events Application for the 2014 Old Home Day Parade for ABA and Cydney Johnson seconded with all in favor of the motion.

Police vehicle equipment (graphics and outfitting)

Chief Ryan Heath handed out a draft memo with a breakdown of the quotes for the fleet graphics and cruiser outfitting for the leased vehicles. The total amount for the lease which is what is quoted and budgeted is \$134,000.00 that includes the vehicles. Now that the numbers are in for the vehicles we know what amount there is left for the graphics and outfitting to stay within the lease amount.

The low bid for the outfitting of the vehicles is Adamson Industries for \$33,121.35 which includes all of the necessary items needed for outfitting the vehicles. The graphics low bidder is Sign Works NE for \$6,950.00 but does not include the patch on the front fender which would have a small fee of approximately \$75.00 to \$125.00 for the art work fee, as it needs to be digitized and the K9 cruiser needs some special lettering for liability reasons. With both quotes being slightly over the \$134K the Chief wants to go back and chisel away at the quotes.

Marc DeCoff made a motion to approve Sign Works NE for the \$6,950.00 and Adamson Industries for \$33,121.35 not to exceed the \$134K and Cydney Johnson seconded with all in favor of the motion.

Public Input II

None

Non-Public Session:

R. Loring Carr made a motion to enter into non-public session pursuant to RSA91-A:3,II(a) personnel (c) character/reputation and (e) claims/litigation and Marc DeCoff seconded with all in favor of the motion.

The meeting adjourned at 8:25 PM.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary