

ALTON BOARD OF SELECTMEN
Minutes
June 4, 2018
6:00 PM
1 Monument Square
Alton, NH 03809
Approved: June 18, 2018

Cydney Shapleigh 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:

Cydney Shapleigh, Chairwoman
John Markland, Vice Chairman
Virgil MacDonald, Selectman
Philip V. Wittmann, Selectman
Reuben Wentworth, Selectman
Elizabeth Dionne, Town Administrator

Announcements:

- The Town Clerk/Tax Collector's Office will be closed on Wednesday, June 13th to attend the Town Clerk's Annual Spring Workshop

Approval of the Agenda

John Markland made a motion to approve the agenda as written and Reuben Wentworth seconded with all in favor of the motion.

Public Hearing

Sedlari Way Road Acceptance

The Public Hearing was opened.

Ken Roberts, Highway Manager and Vance Sedlar, Petitioner from Sedlari Way approached the Board to answer any questions. Ken understands that the Planning Board, the Engineer and he has reviewed the roadway; adjustment were made. There is only one item pending which is the crack sealing, this will be done when the Town's roads are done at the owners expense. Everything is in place. Everything is in place and has been reviewed by the Town Attorney. There were no opponents in the audience.

Reuben Wentworth made a motion to approve the Sedlari Way road acceptance and Virgil MacDonald seconded with all in favor of the motion.

The Public Hearing closed.

Appointments:

Library Trustees Annual Status Update

Holly Brown, Librarian and the Library Trustees approached the Board to give their annual status update. Holly thanked the Board for giving them the opportunity to present the Board with their update. A welcoming packet was handed out, which is what is given to any new patron that becomes a Library member. The packet consisted of flyers for Welcome to the Gilman Library, Gilman Library Clubs & Groups, Gilman Library Children, Youth & Teen Activities, Movie and Theater Information, Database Information, "Gabbie" (Text a Librarian), Overdrive Information (Statewide consortium), Inter-Library Loan Request Form, Friends of the Gilman Library Information along with a Library application and hours card. Holly encouraged the Board members to join the Library if they are not members. Holly gave an overview of each of the programs with the logistics such. Upcoming events were presented including Peddler Bridges and All Fisherman are Liars. Last year we created a Teen Zone and on the other side of that is the Whimsy Corner for younger children. A Museum Reimbursement Program Pass is available up to \$20 if a member is in good standing. Nancy Merrill, Trustee praised Holly and encouraged the Board to tour the Library to see the updates and changes that have been made. Kristine Simone, Trustee noted that there are many new furnishings. Holly informed the Board that they are meeting with Strogen's to discuss better air quality and making the meeting room more comfortable for folks.

The Board thanked the Trustees and Holly.

New Business:

1. Fire Department; Radio Communication Equipment Purchase - Approval

Fire Chief Ryan Ridley approached the Board to discuss the purchase of radio equipment as outlined in the CIP which was approved by Warrant Article in March. The proposal was to purchase

- Two (2) new mobile radios
- One (1) Mobile Repeater for Ambulance 2
- Two (2) Portable Radios
- Two (2) Portable Radio Chargers
- Fourteen (14) Pagers

If we purchase the fourteen (14) pagers then we will have replaced thirty-five (35) pagers that are aging; a lot have been sent out for repair to a third party company at a cost of approximately \$240 for each; it essentially time that these be upgraded. The radios are all state bid priced and the pagers are offered at \$118 discount per unit due to quantity pricing. The total cost is \$26,251.18.

Reuben Wentworth questioned if the equipment comes from Motorola directly or from a private company. Ryan responded it would be through a private company at state bid pricing. Kenwood radios were previously purchased and are less costly however to keep uniformity it was preferred to go with the Motorola's. We only have one vehicle with the Kenwood's. Ryan noted that all radio vendors get state bid pricing. Virgil MacDonald asked if this went out to bid with Ryan referring to the quote referencing state bid pricing so essentially it did. Ossipee Mountain is where the equipment would come from and whom we have consistently used in the past. From experience, John Markland believed that Ossipee Mountain is who handles this area. Ryan confirmed and stated that it was either them or 2-Way Communications. Cydney Shapleigh noted that we don't ask for three (3) vehicle state bids so why would we ask three (3) radio state bids with John Markland concurred. The vehicles would be sent to Northfield for installation with the cables being installed by the manufacturer and in addition, the radios being recessed into the consoles then Ossipee Mountain would do the final hookup, which is included. Pricing is being honored, labor is minimal, shipping is not included. Shipping will be covered within the department's budget; Ryan will inquire with the vendor.

Cydney Shapleigh made a motion to accept the Chief's recommendation for the Motorola radios from Ossipee Mountain Electronics and John Markland seconded. John noted that the person named on the quotes from his experience does excellent work. The motion was called with all in favor of the motion.

2. Application for the Use of Town Property, B & M Park; Tinkergarten Program - Approval

Kellie Troendle, Parks and Recreation Director and Kim Bilodeau, Tinkergarten Leader approached the Board. A memo was submitted with a recommendation from the Parks and Recreation Commission. Kim would like to bring an outdoor play based class for children ranging in age from 18-months to 8 year old. Kim is proposing this to be at the B & M Railroad Park. Families can sign up for either a 6, 8 or 10 week course meeting once a week. Kim noted that they are fully insured.

Reuben Wentworth questioned using both Jones Field and B & M Park with Kellie Troendle responding that the original request was for Jones Field however there were some conflicts and with the possible work being done B & M Park was a better location.

Cydney Shapleigh made a motion to approve the Tinkergarten application and Reuben Wentworth seconded with all in favor of the motion.

Old Business:

1. Alton Youth League Master Plan for Jones Field Recommendation - Approval

Reuben Wentworth made a motion to approve the recommendations of the Parks and Recreation # 1, 2 and 3 and Phil Wittmann seconded with all in favor of the motion.

Kellie Troendle and Ken Roberts were present to answer any questions regarding the Parks and Recreation Commission recommendations. Kellie stated that the Commission met on May 17th to discuss the Alton Youth League (AYL) Master Plan proposal for Jones Field. At this time the Commission is making their recommendation for the following:

- (1) Signage for safety in the parking lot and a new parking lot design/traffic pattern to include a "One-Way" road- signs and design to be coordinated with the Alton Highway Manager;
- (2) Installation of new dug outs at Jones Field and the Legion Field, and installation of additional fencing at dug outs and back stops;

- (3) Installation of a new Snack Shack to include installing electric in order for the building to be fully operational- with approval of the Alton Building Inspector and receipt of a Building Permit.

John Markland asked Kellie if there was money in her budget to cover the electrical. Kellie responded that money has not been budgeted for, for electrical and was not discussed at the Parks and Recreation meeting. As far as the bigger plan, there was discussion to include electrical so it would be there and ready to go. The AYL has been paying the electric bill. The electric preparation fees would be included in the Warrant Article for the lights to the concession stand if approved by the Board. Kellie understands that the AYL would be paying for the services and that the electric use, at this time would not be used by others. Night lights would be a future item and was not discussed in depth with the Commission nor currently recommended. Reuben Wentworth mentioned that the Commission should be looking at this because it will become a Town building paid for by tax dollars. This has been a controversial subject in the past. Reuben voiced again that the Commission needs to take this into consideration as a Town building. At this time Derek Pappaceno from the AYL asked to join the discussion stating that when the idea was brought forward for a new snack shack based on the existing one and its location the AYL discussed that this is something that should be used all the time by anyone that is down there. Electric has been a topic of discussion for many years. Derek felt that this should be used by anyone whenever it can be used and AYL has no intention of saying this belongs to AYL. AYL is just spearheading the efforts to improve the field. Kellie noted that the Soccer League only holds practices at the location and does not have games. Derek mentioned that baseball is such a short season and they don't want to keep the electric hooked up all year; possibly it should be on a cycle however it is more to turn it off and on, it is only used a couple of nights a week. Long term it could be used year round and maybe at that point Parks and Recreation could take it over. Currently AYL is using it, it is turned on now and will be using it for the Majors Tournament this week.

Reuben Wentworth made a motion to recommend the Memorandum sent by Kellie Troendle, Parks and Recreation Director under the recommendation of the Parks and Recreation Commission items 1, 2 and 3 and Phil Wittmann seconded with all in favor of the motion.

Derek inquired with Ken Roberts and Kellie Troendle having met with one of the Board members last week to go over additional thoughts Ken had regarding the parking area. Derek provided to the Board additional notes regarding parking and safety improvements.

Ken Roberts spoke about the additional signage stating that they will purchase it however; he will install the signs to ensure that it is done properly for better site distance going in and out of the area. Everything will be moving in a one-way direction.

2. Ambulance Bid - Approval

Fire Chief Ryan Ridley approached the Board to discuss the Ambulance bid. The bid was sent out to five (5) vendors and we only received one (1) bid back. The bid meets the specifications and will be an exact duplicate of the current ambulance. Warranties were provided and Ryan mentioned that the dealership provides mobile servicing at our station if it is anything but a chassis issue for repairs. The actual cost of the vehicle is \$221,228, if the chassis is prepaid they will give a 1K discount, the trade vehicle is the current Ambulance 2 bringing the final price to \$216,728. There is \$215K in the Warrant Article leaving a balance of \$1,728 out of the existing budget. Virgil MacDonald asked if that amount could be tacked into the vehicle trade. Ryan responded he hoped that the vehicle would be running by the time of trade. It is currently out of service. If approved tonight he would come back at the next meeting for approval to take a loaner vehicle and get rid of the vehicle now while it still has value. The vendor will give us the loaner for one-dollar use until the new vehicle comes in and then return it to them. Over the Memorial Day weekend, we did not have an ambulance in service as the other ambulance had gone in for service.

Cydney Shapleigh made a motion to approve the Ambulance bid to Sugarloaf as presented and John Markland seconded.

Further Discussion: Reuben Wentworth stated he would not be voting for it because this is not a state bid; we have made other departments come back over much lesser amounts. He realizes the importance but he wants to see two (2) other prices. Cydney Shapleigh noted that we can't make people bid. It was suggested to be put back out to bid. Ryan made this bid as generic as possible with the specifications. The biggest thing is how the ambulance is built and physically how it is put together for bidding purposes then it can be determined whether it is adequate or not. From Ryan's past experience selling ambulances there are many companies that can bid these specifications; to actually bid an ambulance it would be in excess of 20 to 25 hours of work which might explain why it wasn't done by others. These specifications were sent out to the listed vendors and were received. There are a couple of other vendors that it was not sent to because in Ryan's opinion the way that they build an ambulance you would not want it; they are inexpensive for a reason. Cydney stated she is all for following Town policy but we just went through a holiday weekend with no ambulance with some pretty major incidents happening in this Town and now we are going to risk being down to one (1) ambulance coming into Bike Week, it doesn't make sense! The ambulance that went in for service was sent over on Thursday, May 10th and were told we would have it back on Monday morning; that did not happen. It will not go to that body shop again and were physically unable to get it from them.

The motion on the table was called. The vote was 2 approved, 3 opposed, Reuben Wentworth, Phil Wittmann and Virgil MacDonald. **The motion failed.**

3. Signage for the Municipal Trail System, End of Alton Mountain Road -Approval

Russ Wilder, Conservation Commission member and Ken Roberts, Highway Manager approached the Board to discuss the proposed signage locations for no parking for the Municipal Trail System on Alton Mountain Road. Russ stated that Mr. Geleas who owns the property at the end of the current Town maintained road has requested that no parking and no pet signs be placed at the new trailhead parking area that was authorized by Warrant Article. The Highway Department ordered the signs and Russ is proposing to install them at the end of the road working with Ken Roberts to be sure that they are placed without interference with maintenance operations. A map was provided to the Board with the proposed locations defined. Plowing will be done to the second area with the ability to do a complete turnaround, done at the end of storms; no sand will be used unless there is an ice storm. This area was expanded based on a meeting and discussion with the owner. Reuben Wentworth would like to see the Police Chief take his officers to the location in order to familiarize themselves with this new area. Liz Dionne will notify the Chief. Ken voiced concern regarding at what time does the Board accept this as trails as passed by Warrant Article. Liz understands that once the meeting vote took place and approved it officially became the Municipal Trail System and it is up to the governing body to set the rules and regulations. The Easement is in process with Attorney Sessler. Russ asked Ken to indicate where the signs should be placed; they agreed to meet on Thursday.

Virgil MacDonald made a motion to allow the signs at the end of Alton Mountain Road for the Municipal Trail System and Phil Wittmann seconded with all in favor of the motion.

John Markland asked who paid for the signs; Russ Wilder stated he did.

Reuben Wentworth amended the previous motion to approve the Municipal Trail System signs contingent upon the Easement with the Town of Alton and Virgil MacDonald seconded with all in favor of the motion.

The no parking signs will be placed

4. Water Bandstand Committee; Additional Member Recommendation -Approval

John Markland made a motion to approve Robert Janes as the fifth member of the Water Bandstand Committee and Reuben Wentworth seconded with all in favor of the motion.

5. Mount Major Community Center Decision, (Resulting from Public Hearing Input)

Liz Dionne reiterated to the Board that they need to make a decision on the Mount Major Community Center based upon the Public Hearing input at the last meeting. Reuben Wentworth gave an overview of the Public Hearing that took place two (2) weeks ago. In his opinion and on a personal note, Reuben cannot see saving the building and can't see putting money into something that is not being used. There are still problems/disputes regarding the land in between the Community Center and the Fire Station. We need to get a letter from the Attorney saying we can either sell it or use it for a training burn exercise or the best and possible use for the building. Phil Wittmann mentioned that there was a family member in attendance that stated there was no longer an easement for the sewage pipe and trail and would like to explore that issue. Liz Dionne confirmed this issue with Attorney Sessler who informed her that it was a verbal agreement not a written agreement; there are legal things that could be done to address that issue. Virgil MacDonald feels that it should be saved; the Town owns it and it should be maintained. Comparisons were made to the Alton Bay Community Center. There was only one person that wanted to rip it down or burn it and one that wanted it saved, nobody showed up for the Public Hearing. Virgil feels it should have a roof put on it and it should not be torn down. John Markland noted that it needs more than a roof; in addition, it needs interior work. Phil Wittmann stated it was already ADA compliant with the bathrooms and it has a ramp. Reuben corrected stating the doorways are not wide enough. Selling the property was mentioned; potentially it would just be the two (2) abutters that might have an interest. It could be put in a realtors hands or it would have to be sold at auction. Liz Dionne informed the Board that water and septic are shared with the Fire Station so if it were sold then we would not have septic for the Fire Station unless a design and waivers were done and may not have enough property for the septic at the Fire Station; it is still an operational station so you would need to have water and septic. Phil voiced his wish for the septic situation to be looked into by Attorney Sessler. John Markland is in agreement with Reuben to get rid of the property. Reuben suggested to make up a sign for another Public Hearing in July for the fate of the West Alton Community Center and post it on the front of the building to inform the people; if it doesn't turn out any better his opinion would be the same. In Cydney's opinion this is property that was placed into a Trust for the people of West Alton by somebody that donated a lot of their personal time and personal money to improve the West Alton area and thinks that whatever disagreements the Town has or doesn't have with the remaining members of that family, it is a slap in the face to the people that originally with good intent were trying to bring good things to that end of Town. It is a piece of our history in this Town and I don't think we should just throw it away because we might have to save for a few years to make it a place to preserve for the people of West Alton and for the generosity of the Clough family. Phil likes the thought of having another Public Hearing and the sign idea. In the meantime, people did vote money to fix the roof; as long as it is still ours he feels the roof should be fixed. At least put a tarp on the roof. Liz Dionne asked to speak stating if the end result is to sell the building, it is not a tax deeded property so that means it would have to go to Town Meeting for approval on a Warrant Article. Reuben asked if the Alton Historical Society might have an interest in the building selling it to them for \$1; Liz will check with

them. If they were ever to sell then it would need to come back to the Town. In addition, Liz stated if the building was sold or given to the Historical Society or whatever is done with it, even if it is razed and the land sold probate court has to approve it because it is part of the Trust. Cydney stated that Probate Court will not look kindly on going against the wishes of the grantor of the Irrevocable Trust. Phil spoke with Marty Corneillsen who stated that the building does have historical value. Virgil would like the building saved and put a roof on it. Phil likes the second Public Hearing and publicize it. The Warrant Article passed by a large margin meaning people voted to have a roof put on the building because they think it is important.

Reuben Wentworth offered to donate a half a sheet of 3/4 inch AC Plywood and see if the Art Department at the High School will paint it and put a lettered sign on it with "Save the Fate of the Building" (or something to that nature) for advertising it for the people of West Alton. Cydney asked if he would donate a tarp.

Liz stated you could authorize the funds to be used from the existing capital reserve fund for the building for the same person/vendor to go out and place another tarp on the building. It was suggested that someone from the Parks and Recreation Department go out to place a tarp. Liz didn't feel they could and thought that the same thing that was done previously be done again.

Reuben Wentworth made a motion that we get a new tarp if needed on the West Alton Community Center to protect the roof and Cydney Shapleigh seconded with all in favor

Reuben Wentworth made a motion to hold a second Public Hearing in July for the matter regarding the West Alton Community Center, well publicized with a sign (donated by Reuben) in front of the building and Phil Wittmann seconded. The vote was 4 approved 1 opposed, John Markland.

Note: The school Art Department is open until the 24th and if they cannot paint the sign, Reuben has someone that could do it but prefers the school.

Public Input I *(limited to 3 minutes per person; subject matter - agenda items only)*

David Hussey approached the Board regarding bidding procedures, there is a site called Bid Me Now (or something similar) which blasts a bid out across the nation, which is a way to get the bids out to more organizations. Dave suggested if you want a crowd for the West Alton Community Center just make mention of the Fire Station; it will draw a crowd!

Ray Howard approached the Board in reference to Warrant Article #58, 50K; Jones Field upgrades. It was a Petition Article, isn't it supposed to have notice of who the agents are to expend the funds. Cydney Shapleigh stated that the governing body are the only ones that have the right to expend the funds. The DRA was consulted.

Selectmen's Committee Report

Phil Wittmann met with the Cyanobacteria Committee in New Durham. Ted Quimby chaired the meeting hearing from a company that has been hired to do the work in the field looking for the places that phosphorus is making its way into the water throughout the entire watershed. They want to bring their findings to an August meeting with a plan to establish how to deal with the issues, hoping to get the public involved. People from both Fish and Game and the Fish Hatchery were present.

Virgil MacDonald spoke regarding parking in the Bay area. It was suggested that in the area of the Insurance Company they have a lot of people working there and are taking up roughly thirteen (13) spaces in finger dock area; this is a shame because you have a lot of older people that like to park there and look out over the water and they are taking up that whole area. Virgil feels that there should be a time limit sign or they should be made to park across the street towards the bathhouse area instead of taking up the lakefront. That building has four (4) spaces. On average there are thirteen (13) vehicles daily; the business has grown substantially. Reuben suggested that the Town Administrator call the company to voice the concern, suggest parking across the street leaving the area open for folks that would like to enjoy the waterfront. Just see if there is a simple remedy before signs being placed for two (2) hour parking. It was the consensus of the Board to have Liz Dionne reach out to the company. At this time, Ken Roberts was brought into the discussion; Ken mentioned that there have been issues in front of the Pavilion, we have addressed those issues and installed two (2) signs. He had a call today from there because the vehicles are getting warning letters regarding overnight parking in the Bay which is a Town ordinance. The individual will/may be coming to the Board to request more spaces for the Pavilion for their guests. As a Highway Agent, he voiced that when the business changed from a Real Estate Agency to the Insurance Agency it should have been addressed then. The best option would be for them to park across the street because you can't close the businesses. They are public parking places.

John Markland had nothing to report.

Cydney Shapleigh had nothing to report.

Town Administrator's Report and Updates by Liz Dionne

Town Hall Foyer

Liz Dionne requested bringing Muriel Stinson and Kellie Troendle to approach the Board to discuss and answer any questions regarding the historical repair work to the foyer of the Town Hall. An estimate was provided to the Board for the necessary repairs that need to be done to the walls and doors. A second vendor offered to do some work however, it did not meet the expectations and never came to fruition. This is a difficult field of work in this area. The person comes highly recommended with an estimate of over 5K. Permission was granted from the Trustee of Trust Funds to pay for the work out of the Clough-Morrill Trust Fund. There will be tax impact.

Muriel Stinson stated that the project has been going on for years. The issues are a large gap on the right hand door, left hand door has a hinge missing and gouges in the doors, no weather stripping, wood needs to be replaced. The only way to do this work properly is to take the doors down and be brought to a shop for repairs. If the Board approves the work Muriel is requesting either the Highway Department or the Building and Maintenance Department takes the doors over to Gilmanton to Eisenmann Wordworking to have the work done. Muriel feels that they would do an excellent job. The hardware would stay with the doors, if possible. Reuben Wentworth voiced concerns about the transport of the doors. They are delicate in nature and Reuben would like to know how they would be transported. Insurance was discussed along with assurances that they would be transported properly with boxing opposed to wrapping and putting them in the back of a truck. Kellie Troendle stated that the amount was just an estimate and could come in at a lesser price; it will be unknown until the work begins.

Virgil MacDonald made a motion to approve the \$5,500 and have Ken Roberts take the doors off and bring them to Gilmanton for repair and Cydney Shapleigh seconded for discussion.

Further discussion: Back and forth discussion took place regarding the transportation of the doors, the priceless value of the doors, insurance requirements and contingent approval of insurance. In addition, Muriel mentioned securing the building when the doors are removed. The alarm company has reassured us that there won't be any issues with the alarm system. The work won't be done until after the July 4th holiday and scheduling time for the refinishing of the doors in order to allow for drying time.

The motion on the table was called. The vote was 4 approved, 1 opposed Reuben Wentworth.

Rumble Strips

A call came in from the Governor's Office regarding the rumble strips. They have turned the immunity from liability question over to the Attorney General's Office.

Gift Acceptance

An anonymous donor has offered to donate 30 feet of red cedar split rail fencing which would be placed in the Bay area to the left of Pop's Clam Shack. This would be where the delineator posts are located where there is no curbing; this will prevent vehicles from driving and parking on the new town grass. Approval from the Board is necessary.

Phil Wittmann made a motion to accept the gift and Virgil MacDonald seconded with all in favor of the motion.

Notice of Intent to Excavate

Copies of the two (2) Notices of Intent to excavate were provided to the Board for the two (2) active pits with the wording that Attorney Sessler recommended for each. The wording for each is a little bit different; one is for filing and the other is for receiving approval. To make it legal a vote or a consensus would be necessary.

Reuben Wentworth made a motion to approve the Notice of Intent to Excavate for Green Oak Realty/Keith Babb contingent upon the owners receiving approval for a municipal excavation permit with the Alton Planning Board within 60 days of this date.
Note: Reuben recinded.

Reuben Wentworth made a motion to approve the Notice of Intent to Excavate contingent upon the owners submitting the municipal excavation permit within 60 days because it could take the Planning Board 3 to 6 months to work through the permitting process to get them going. Originally, we had talked about 12/31 and getting a little confused about which way this should go but does not like the way this is worded.

Liz Dionne noted that the wording is from our Attorney based on last week's meeting. Liz offered for him to come back to another meeting.

Reuben Wentworth wanted this approval to go out until the end of the year as things with the Planning and Zoning Board's can be pushed out in time.

Virgil MacDonald seconded the motion.

John Markland voiced we are going from 60 days to the rest of the year.

Cydney Shapleigh stated that the intent doesn't say they have to make a decision it says they have to file for the permit within 60 days.

Liz Dionne stated that each of the Intents had different wording based on what has already been done. One has already filed which is the one for approval (Green Oak Realty) and the one to be filed is for the other pit who has not even submitted an application form. This is all based on what was discussed at the last meeting that everyone agreed on.

Virgil MacDonald stated that this was so that they could file and get the process going.

Liz noted that Green Oaks has already applied with the approval pending because they want to amend it. The Town Planner and Code Officer have spoken to the engineer about the amendment and that they should at least get the original permit to excavate approved then work on the amendment, which would be quick and easy.

Reuben Wentworth made a motion to approve the Notice of Intent to excavate for Green Oaks Realty/Keith Babb contingent upon receiving approval for a municipal excavation permit with the Planning Board by December 31, 2018 and Virgil MacDonald seconded. The vote was 3 approved; 1 abstention, Cydney Shapleigh (noting she was not present at the meeting and did not have enough knowledge). John Markland commented that the wording was if the owner fails to receive approval for a municipal permit this notice will be rescinded and a cease and desist order will issue immediately. So if they don't meet the municipal permit they don't get approved they will get a cease and desist. With this portion not having been part of the motion, John stated he cannot vote for it; it was not what was agreed to in the meeting we had therefore he is opposed.

Reuben Wentworth stated that if the Planning Board has not approved this by December 31, 2018; I will not sign it next year. John Markland again stated that this is not what was discussed at the legal meeting of which you (Reuben) were not in attendance; Reuben agreed noting he was still working. John questioned the legality of Reuben's motion. John stated that this was specifically worded based upon the Town Attorney's approval and the wording now has been changed, so is it legally acceptable. John wants to be sure that all legal avenues are covered.

Virgil MacDonald made a motion to do the same for the second Notice of Intent to Excavate.

Liz Dionne stated the first Intent has already been filed and that the second Intent has not even been filed yet. Virgil MacDonald insisted that he had filed and that he was here when he brought in the paperwork. Liz reiterated that Virgil wants the same wording on both permits even though the wording is different on them.

Cydney called for a second on Virgil's motion. There was no second to the motion.

Further discussion: Reuben Wentworth asked Virgil if he was sure that the paperwork had been filed for Mr. Williams. Virgil knew he had brought in a bunch of papers to the Planner but he has been out with surgery for his shoulder and we discussed them right at the Planning Board meeting. Reuben asked if this could be held for another 2 weeks; Liz stated that would be a Board decision. Virgil noted that the State lady said that we cannot hold them hostage, these need to be signed and we have been signing since 1998. Reuben we are kind of being held hostage when the Attorney tells me to rescind these if these things are not met. Virgil noted that at the meeting we had our choice to put whatever date we wanted. Reuben, there is a difference between the 2 permits; one is already filed, they are just looking for approval. The other one has not filed by the readings of this. He would at least like to see a filing within 60 days of this and then give to the 2019 date. Virgil, this is for a 60 foot deep pond which is completely different than a gravel permit. These are intent permits, these are tax documents. Reuben understands that they are tax documents but there was a change in the rules from the Planning Board concerning this. It is also his understanding that Green Oaks had started a permit process to the new rules. Virgil insisted that they both had started the process.

Reuben stated his motion was to grant the intent to excavate because he has already filed with the Planning Board and he is allowing to December 2018. The other has not filed; Virgil disagreed stating the Mr. Williams has filed and it was discussed with the Planning Board. Reuben stated that the wording from the Town Attorney tells him that they have accepted it because they are only looking for approval for the municipal excavation permit and a filing is needed for the other one. If the motion is changed for Mr. Williams to read 60 days to file for a municipal excavation permit. Once he files the permit then make rest of the motion to December 31, 2018 Reuben would vote for that; he needs to at least get his paperwork in. Virgil seconded this.

Reuben Wentworth made a motion to sign the Intent to Excavate for Penny Williams and Scott Williams contingent upon filing for a municipal excavation permit within 60 days and getting full approval by December 31, 2018 and Virgil MacDonald seconded.

The vote was 3 approved; 1 opposed, John Markland, 1 abstention, Cydney Shapleigh (due to not being at the meeting with Attorney Sessler for an explanation).

John Markland noted that just the three that approved should be signing the Notice of Intents and the wording will need to be changed. This is time sensitive.

Liz Dionne will change the wording and will check with Attorney Sessler, and will call the approving members when they are ready for signing.

Reuben Wentworth noted if there is a need to have a telephone poll after speaking with Attorney Sessler; if he wants at least the cease and desist as of December 31, 2018; Reuben would go along with it. Cease and desist is what the law reads but was not part of the motion.

Cydney Shapleigh reiterated that if Attorney Sessler wants the cease and desist as part of the motion then Liz Dionne will need to telephone poll the Board; then it can be ratified at the next meeting. This is in order not to hold the Notice of Intents up any longer than necessary so that the State can get their money.

Approval of Selectmen's Minutes:

May 7, 2018

Reuben Wentworth made a motion to approve the minutes of Public Session I, May 7, 2018 and Cydney Shapleigh seconded. The vote was 3 approved, 2 abstentions, Phil Wittmann and John Markland.

Cydney Shapleigh made a motion to approve the minutes of Non-Public Session, May 7, 2018 divulging #4, 5, 6, 7 and 8 and Virgil MacDonald seconded. The vote was 3 approved, 2 abstentions, Phil Wittmann and John Markland.

May 21, 2018

Virgil MacDonald made a motion to approve the minutes of Public Session I, May 21, 2018 and Phil Wittmann seconded. The vote was 4 approved, 1 abstention, Cydney Shapleigh.

Reuben Wentworth made a motion to approve the minutes of Non-Public Session, May 21, 2018 divulging nothing and Phil Wittmann seconded. The vote was 4 approved, 1 abstention, Cydney Shapleigh.

May 24, 2018

Reuben Wentworth made a motion to approve the minutes of Public Workshop, May 24, 2018 and Virgil MacDonald seconded. The vote was 3 approved, 2 abstentions, Cydney Shapleigh and John Markland.

Approval of Consent Agenda

Cydney Shapleigh made a motion to approve the consent agenda and John Markland seconded. The vote was 4 approved, 1 opposed, Virgil MacDonald.

Approval - Civil Forfeiture for unlicensed dogs; Issuance of a \$25.00 fine per dog for any unlicensed dog under RSA 466:14

Approval - Fire Department, Stephen Previte, EMT, \$14.00 per hour to EMT/Paramedic, \$17.50 per hour + COLA .35 total \$17.85.

Approval - Fire Department, Christopher Gagnon, EMT/FF, \$14.50 per hour to A-EMT/FF II, \$16.00 per hour + COLA .32 total \$16.32.

Approval - Fire Department; Keith Morin, Intern, \$11.99 per hour to EMT/FF III, \$14.75

Approval - Parks and Recreation; Tyler Bredbury- New Hire, Lifeguard \$10.78 per hour.

Approval - Cemetery Department- Conditional Hire, Seasonal Laborer \$12.70 per hour.

Public Input II (limited to 5 minutes per person; subject matter - any Governmental/Town Business)

David Hussey approached the Board and thanked the Board for how they handled the gravel pit situation in the spirit of Alton and the people of Alton. In addition, he gave "kudos" to the Board for recognizing that your legal counsel is an advisor and that the Board is the Governing Body and you have input to anything that anybody does in the Town. He feels that this needs to be

understood by all Boards, Department Heads, Lawyers and the Town Administrators; they are all advisors to the Board but the Board has the final say.

Ray Howard approached the Board referring to the Parks and Recreation Department's summer brochure. He questioned if the corporate entities that are promoted within the brochure are they paying for advertising. He stated if they are not paying for advertising then it is a violation of the Constitution of the State of NH under Article 83, Part 2 and Article 5, Part 2. As a sworn officer of the general court, he took an oath to defend and uphold the Constitution of the State and seeing this he feels compelled to bring it to the Board's attention. As a government body we are not supposed to promote private enterprise. There are a lot of private enterprises that are being advertised in this brochure and if they are not paying it is wrong and in violation.

Cydney Shapleigh stated we will look into it.

Ken Roberts had another thought regarding the West Alton Community Center if the septic system is not a gage 20 loading system then you cannot park on it and it would become a liability to the Town and the system. Ken further questioned if there was a parking plan for the property in place, it might be a good thing to have for the Public Hearing. He then offered if he was given a general layout that he might be able to get that done before the Public Hearing.

At this time, Reuben Wentworth stepped down from the Board to represent himself as a personal business owner in the Town of Alton. Watching what has been taking place in the Town over the last couple of months he hopes that the Town can come to an agreement with the businesses to a workable solution. The Planning Board meeting opposed to the Board of Selectmen's meeting was very cordial in comparison. Currently grandfather status seems to be up in the air with what is and what is not grandfathered. His business has changed in its 23 years; it has never strayed from its original intent of the business but looking, watching and listening to what is being said at the Planning Board meetings he wonders if grandfather status would save his business. He went through this process with the Town 18 years ago; there were several issues with ZBA because he moved into another lot, not knowing that he was doing anything illegal. He met with the Town Attorney and it was felt that it was a gray area. There were 5 working agreements with the Town Attorney and Building Inspector, the Board of Selectmen refused all 5 agreements, he never stopped using the property until a letter was signed to bring him to court. He did that intentionally because the Town's Attorney stated that he had never had 5 agreements that weren't agreeable to the Board of Selectmen. He felt it was more personal. He hopes that the Board of Selectmen can encourage the Planning Board to work with these businesses and organizations because the Board of Selectmen have approved for the Legion permits to hold concerts for quite a few years so we knowing knew they were doing this. He understand that the Planner and Code Officer are only doing their jobs and is not in disagreement but he feels that there is a way to work around this to come together. This is what we have now if you go out beyond these boundaries then you have to come into the Planning Board for a site review. Reuben is encouraging the Board to do this. Grandfather status has a lot of the businesses in Town on edge because they don't know if they really exist. He encouraged the Board to take this into consideration.

David Hussey approached the Board stating that he has read every Zoning Ordinance in New Hampshire and Alton and nowhere does it say the Code Officer is absolute. The only thing the Legion is arguing about is that they are a private club and they want to take us from a private club and put us into a commercial facility. Mr. Hussey noted that Loring Carr, himself and a couple of other people are the ones who wrote the ordinance and know what the spirit of it was. It was intended for residential facilities that were holding weddings. If you read the ordinance, it says residential facilities; that is why it was made. He specifically referenced the first case that it pertained to and this is why it was created. It was not to take down an organization like the American Legion. He urged the Board to place the Legion under the right classification, which is a lodge or private club not an outside venue. The Legion has a constitution, bylaws and we report to the House of Representatives who incorporated us not to Alton, NH; we cannot become commercial. In the spirit of this he encouraged the Board to "cool it" before it gets a lot worse and feels that we can do something if everyone gets together. Grandfathering is going to be a huge thing and he believes that the Board needs to specify who has what duties. A motion needs to be made by the Board clarifying that everything comes before the Board of Selectmen as the decision makers. Spending taxpayer's money to fight things in court is not what the taxpayers are looking for. Dave further stated, the Legion cannot become a commercial function facility.

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

None

Memorial Day

At this time, Virgil MacDonald requested to speak mentioning that on Memorial Day while down at the Cemetery he voiced his disappointment that it was not completely mowed, there was no weed whacking had been done, gravestones were knocked over and laying on the ground. It was a disgrace, help should have been asked for, somebody should have checked it beforehand and it should have been ready for Memorial Day.

Liz Dionne asked the Parks and Recreation Director to be here to answer any general questions and concerns from the Board, requesting permission for Kellie Troendle to approach the table to explain in generality. If the Board wants to get into specifics, Liz stated it will need to be done in Non-Public Session because it involves personnel.

Again, Virgil MacDonald stated that the Cemetery should have been ready for Memorial Day and the parade; Liz Dionne agreed.

It was the consensus of the Board that this discussion be moved to Non-Public Session.

Non-Public Session:

Cydney Shapleigh made a motion to enter into non-public session pursuant to RSA 91-A:3, II (a) (b) and (c) and Reuben Wentworth seconded. The Board was polled in the affirmative by roll call with all in favor of the motion.

Roll call vote:

Reuben Wentworth, yes
Phil Wittmann, yes
Virgil MacDonald, yes
John Markland, yes
Cydney Shapleigh, yes

Adjournment

The meeting adjourned at 8:22 PM.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary

