

ALTON BOARD OF SELECTMEN

Minutes

Public Session I

June 6, 2016

6:00 PM

1 Monument Square

Alton, NH 03809

**Approved: June 20, 2016**

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Cydney Johnson 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 members and staff were present:

Cydney Johnson, Chairwoman  
Lou LaCourse, Vice Chairman  
Philip V. Wittmann, Selectman  
Elizabeth Dionne, Town Administrator

John Markland, Selectman arrived at 6:02 PM.

Virgil MacDonald, Selectman was absent.

### **Approval of Agenda**

Phil Wittmann made a motion to approve the agenda. Liz Dionne requested removing Item #3 under Old Business as it has been resolved and Item # 1 under Old Business is for information and review only and to be discussed at a later time with Legal Counsel. Lou LaCourse seconded as amended with all in favor of the motion.

### **Appointments:**

#### Ruth Messier ~ Town Historian and Town Report

Ruth Messier approached the Board voiced her concerns regarding the Town Report. She likes the fact it is all done in house however she would like to see some of the print larger in the future, specifically on the Auditor's Report. Also, she wished the Board members the best of luck throughout the year. The other issue she had concerns with is not having a Town Historian; she urged the Board to consider appointing one, in light of having just recently lost two (2) historic homes in Town.

## Vicky Sweezy ~ Pedestrian Access Lane Route 28, formation of committee

Vicky Sweezy approached the Board to request a pedestrian access route from River Run Deli to the High School where the current sidewalk ends. She had several reasons for her request. This had been looked at in the past and with the recent fatality she felt that it should be revisited. She states that it possibly could be a bike path or a pedestrian access route and not necessarily a sidewalk. There is a federally funded TAP program which is available and a hand out was provided by Ms. Sweezy to the Board in reference to the program; a letter of interest is due by July 1, 2016. She was told that in order to do a project like this it would need to have a Board approved Committee and she is requesting that be done.

Cydney Johnson responded to Ms. Sweezy that it is her understanding after speaking with the Town Administrator to confirm that it does not need to be a Board approved committee. If there is a group of citizens that want to get together to research, then make a recommendation to the Board, you do not need approval of the Selectboard.

Ms. Sweezy has spoken to the State Reps and was told it would be much easier if it were a Board approved committee. She was advised by Peter Bolster, David Russell and Peter Varney, the later said if she had a Board approved committee they would do whatever is necessary on their end to assist with DOT, Senate etc. to pull this through. In order to do the TAP program there needs to be someone with certification which goes beyond her realm.

Cydney Johnson stated that once Ms. Sweezy pulls a committee together, comes up with a plan; at that time, she should then present the information to the Board. Then the Board could either act or not act on the recommendation that comes before them. Cydney recommended that she gather together the information, come up with a plan for the Board to act on, similar to what the Garden Club did for the Bay project. There are some concerns for liability and limitations if the Board approves the committee.

Liz Dionne stated that she was sure that all of the Department Heads would be willing to act in an advisory/consulting capacity but they should not be actual members of the committee.

Ms. Sweezy stated that this research had already been done twelve (12) years ago however none of the current Board members were a part of this.

Cydney Johnson voiced that the Board is not trying to make this process difficult and unfortunately they have to follow things even though it might not necessarily be our choice.

Liz Dionne reiterated that after she pulls together the community based committee and it has been formed and you have your base research done, look at different options, funding mechanisms; that is the time to come back to the Board for approval with a Plan A or Plan B.

Cydney Johnson noted that the letter to apply for the TAP program needs to be done by July 1, there is a 20% match which the Town would not be able to commit to as this would have to go to Town Meeting.

Lou LaCourse stated that there is groundwork that needs to be done before getting to the point in your endeavor for the State Reps to assist you.

Ray Howard approached the Board stating that he has contacted Thomas Jameson who is the program manager for the TAP program and was told that this is a viable plan for funding for this type of project. Mr. Jameson suggested contacting LRPC, DOT District 3 and if we wanted to try and secure funding in the first round a letter of intent from the Town would be helpful. A lot of work needs to be done prior to so the next round might be a possibility for next year, the Town should be involved.

Nobody disagrees with the intent or the desire for this to happen it just isn't ready according to the current feedback and it would also need to be taken to Town Meeting. In order to get LRPC involved it would go through the Selectmen's Rep to request their help with the process.

Ken Roberts inquired if he and/or the Department Heads have approval to be involved in an advisory capacity opposed to being on the committee. Reasons being that there might be something with the State from the previous research done when the Federal Highway Safety Committee did their project at the Circle, Route 28 area. There might be some sort of plans that can be obtained. Ken requested permission to go to the State and talk with his contacts; they may have costs associated with the project. It was the consensus of the Board to approve Ken's assistance.

Cydney Johnson voiced the Board's appreciation to the concerns and the Board will help in any way that is allowed.

## **BOARD OF HEALTH**

Cydney Johnson made a motion to recess as the Board of Selectmen and to re-convene as the Board of Health and Phil Wittmann seconded with all in favor of the motion.

- Septic Waiver Request, Map 41, Lot 16; Eileen J. Dumouchel Trust

May and Tom Varney were present to request a septic waiver for 128 Echo Point Road. She is requesting not to use the Alternative Technology System within 75' of the lake. The leach bed is located 162' from the lake with the proposed tank and pump chamber, proposed to be 50' from the lake which meets the State requirements. The existing septic system is currently located behind the cottage is fifty (50) years old and is in failure.

Lou LaCourse made a motion to grant the septic waiver request for Map 41 Lot 16, Tanks (2) to Surface Water, Required 75', Actual 50' and Cydney Johnson seconded with all in favor of the motion.

Cydney Johnson made a motion to adjourn as the Board of Health and to Re-Convene as the Board of Selectmen and Phil Wittmann seconded with all in favor of the motion.

### **Announcements:**

None

### **Selectmen's Committee Report**

John Markland met on May 26<sup>th</sup> with the Budget Committee noting that they will be forwarding a letter to the Board regarding their wishes for the upcoming proposed budget season. They also discussed their interest in a Capital Improvement Plan and a Capital Improvement Committee, feeling that it is necessary for the Town; they are aware that this is through the Planning Board.

Phil Wittmann met with the Parks and Recreation on May 19<sup>th</sup>. They did a tour of the AVAS building. The next meeting will begin at Roberts Cove. They discussed the Merrymeeting River Trail, a Music Scholarship for a High School student funded partially by the Barbershoppers Event, the Summer Camp Program, improvements to Jones Field with a possibility of talking to the Highway Department for removal of roots and rocks on the side of the field. The committee is reviewing the current

Charter they have and are looking at other towns to see their process. Also discussed was the new Photo Calendar contest.

Lou LaCourse met with the ZBA; a question came up regarding jurisdiction over boat houses that are built completely on the water; possibly the Town has none. They are no longer allowed but the question of a rebuild is going over to legal counsel for his opinion. It was a “high night” for discussion of signs, variances were allowed for a couple of signs in the circle area but one on Route 11 was not and we don’t want the area to become a “billboard” type of situation. The Conservation Commission is meeting this Thursday.

Cydney Johnson reported that ZAC met the last week of May. The Town Planner has gone through the entire set of Zoning Board Regulations. She has updated them, there are some things that were passed but were not in there. It will be a huge endeavor to see what needs to be updated, adopted, looked at etc. The results of the survey that was done should be placed on the town website with some responses/answers to the questions that were asked; for closure.

Lou LaCourse noted that the ZAC has quite a list of things that need to be looked at with changes that need to be delineated. Some may be just typos others may need to go to Town Meeting.

## **Town Administrator’s Report and Updates**

### Public Meeting with Attorney Sessler

Liz Dionne is looking for a couple of dates from the Board in order to meet with Attorney Sessler later in the month with Board’s and Committee’s and to enter into Non-Public Session for discussion of legal issues. Different dates were discussed. Monday June, 13<sup>th</sup>, Wednesday, June 22<sup>nd</sup> and Monday, June 27<sup>th</sup> were the options at 6:00 PM. Liz will check with Attorney Sessler and get back with the Board once the date is secured.

### Gilman Museum Light Post

It was previously a Board decision to have a light pole installed in the sidewalk on the corner of Route 140 at the Gilman Museum. Liz is requesting to hold off on having the pole installed for aesthetic reasons and for illumination of the intersection. At this time, Phil Wittmann inquired if the Town owns the strip of land in front of the Legion; they do not.

Cydney Johnson asked Liz Dionne if the Chief of Police or Ken Roberts had been consulted on the location of the light pole. Liz has met on site with Ken Roberts about the location and will need to check with Chief Heath. This item will be brought back to the Board.

### Water Bandstand

Liz Dionne mentioned that Steve Parker was in last week questioning the bid for the Water Bandstand. He would like to see the work completed by July however in speaking with the winning bidder, unfortunately this cannot be done in the Summer months for multiple reasons. There is too much boat and land traffic and there is an inability to lay tarps to collect the falling debris that would sink in the water. The Bid was awarded in late 2014, the intent was to do the work but there was too much snow that year then the intent was to do the work this past winter but the ice was not safe enough. The goal will be to complete the work this coming winter 2017. The Contractor wants this done as much as we want it done. A brass plaque was discovered in Liz's office she would like to see this plaque installed once the work is completed. It reads as follows: "This aquatic bandstand occupies the site of the original bandstand erected in the 1920's. It is believed to be unique. Restoration was completed in 1990. Project was made possible by the citizens of Alton for all to enjoy". If the work were to be done during the Summer months, then a barge would need to be brought in which is quite costly. In Liz's opinion Winter is the best option.

### **Public Input I**

Steve Parker approached the Board in regards to the Water Bandstand stating that the Bandstand is a treasure and it is in disrepair. He would like to see the old bid thrown out and replaced with a new bid, adjusting the specs, to reflect using a barge. This way there could be no excuses used and they can come in right after ice out. His thoughts were it needs to be fixed; it should be really pristine, possibly do a Warrant Article for it and fix it as it originally appeared in the 1920's. There is good electricity out there, the decks and crib need to be level. In his opinion the work needs to be professional, the bandstand is in deplorable condition, it is an integral part of Alton for the beauty of the Bay area and it needs to be made a preference.

Jeff Clay approached the Board noting that the Board did not take his advice seeing that a Police Officer is still present at the meeting, questioning why this officer is taken off the streets; it is wasting taxpayer's money, there is no justification for this.

Mr. Clay also referred to paragraphs of the email policy. Why have Board meetings if you are not going to conduct Town business here in this meeting. You have no

authority outside this Board as individual members. The Town Administrator should be referred to as the Town Administrator not Liz. You are still breaking the law every day. There needs to be more information on the agenda. At the next meeting I will inform you as to you how many Workshops and how many Non Public Workshop meetings took place in 2015.

Ray Howard approached the Board in reference to Route 28 South of the Circle. Rumble strips have recently been installed on the roadway. Mr. Howard inquired if any phone calls had been received, noting that a lot of residents in the area are not very happy with this installation. He has spoken with James Marshall from the Bureau of Highway Design and was told that part of their guidelines is a public informational meeting or correspondence with the affected communities is recommended; they ignored all their guidelines with the installation. Mr. Howard was not aware of any public forum regarding the installation of these rumble strips. He was told that letters were sent out to the Police, Fire and Emergency Management Departments of the Towns so basically they got the blessings of all those different Departments. He voiced concern and questioned that these Departments made these decisions without considering the health and safety of our citizens who live on that stretch of road. James Marshall will be coming out to do an overnight observance of the noise level of the strips. Mr. Howard wanted the Board to be aware that Department Heads may possibly be making decisions without the Board's knowledge and it needs to be looked into especially for the residents that live on Route 28 who are not happy.

### **Approval of Selectmen's Minutes**

#### **May 16, 2016**

John Markland made a motion to approve the minutes of Public Session I, May 16, 2016 as written and Lou LaCourse seconded with all in favor of the motion.

John Markland made a motion to approve the minutes of Non Public Session, May 16, 2016 as written opening #2, 3, 4, 5, 6, 7, 12, 13 & 15 and Lou LaCourse seconded with all in favor of the motion.

John Markland made a motion to approve the minutes of Public Session II, May 16, 2016 as written and Cydney Johnson seconded with all in favor of the motion.

### **Old Business:**

#### **Public Participation Policy Amendments**

Earlier in the meeting it was noted that this item was for information and review only and is to be discussed at a later time with Legal Counsel.

### Cemetery Department Merger

The Cemetery Department merger has been discussed previously. An official vote needs to be taken to officially approve the merger. As of tonight at midnight there are no longer any Cemetery Trustees. Liz Dionne has had multiple meetings with the Cemetery Trustees, Staff of the Cemetery Department and the Recreation Director. There won't be any real big changes, everyone will continue to do what they normally do. The Cemetery Secretary will be a bit more involved with the paperwork. Any documents that the Trustees previously signed for legal purposes will need to be signed by the Board of Selectmen such as the Right to Inter and will be in the signature file. The Parks and Recreation Department will be preparing the budget.

Cydney Johnson questioned if the Right to Inter has a timeframe in which it needs to be signed? Liz Dionne did not believe they did. A motion to authorize any Selectman to sign on behalf of the entire Board is needed. Legal Counsel was consulted and the Board cannot appoint anyone else to sign, it must be a Board member.

Cydney Johnson made a motion to accept the final merger of the Cemetery Department into the Town Hall/Parks and Recreation and Lou LaCourse seconded. The vote was 3 approved, 1 opposed, John Markland.

Liz Dionne requested that the Board consider making a motion to authorize whoever is available to sign on behalf of the entire Board any of the Right to Inter documents that come up.

Lou LaCourse made a motion to authorize whoever is available to sign on behalf of the entire Board any of the Right to Inter documents that come up and Cydney Johnson seconded with all in favor of the motion.

### Crosswalks in the Bay Area

This item was previously withdrawn from the agenda which was who has the authority to make the final determination on the crosswalks in the Bay. The State makes the final decision even if the Town disagrees.

### **New Business:**

### Snow Machine Crossing Signs Route 11, Bay Area



Ken Roberts presented this item. It was decided that granite would be used for the snow machine crossing during the sidewalk project. The granite is 48” wide and expands across the entire grassed area into the parking lot directly across from the boat launch. In order to keep the snowmobiles in that area we are going to put signs up on both sides pointing to exactly where the crossing is located. A representative of the snowmobile club has approached Ken stating that the groomer needs to get through the same area which he does not recommend. The groomer is almost 10’ wide, no accommodations for that were made on the concrete sidewalk; it would have to go thru the driveway to the parking lot. There is highly reflective lettering that will say snowmobile crossing with arrows directing them between the two (2) signs, to be placed, if approved, for the snow mobile crossing; they are ready to be installed upon approval.

Lighting was also discussed within the same grassed area. Ken has spoken to the electric company about moving one (1) of the poles across the street to accommodate future plans he was asked if the Town would like to remove the two (2) light poles that are stuck on the end of the island. His thought was “yes, take the congestion out of the island”. A cost would be involved, he would like and approach the electric company to see LED lights installed across the street and be directed to illuminate the parking area possibly with a timer to close the Bay area parking at midnight. It would lite the new area as well as out into the street making visibility much greater than it is currently.

Cydney Johnson questioned if there would be any new lighting in the area of the new parking spaces? The discussed lighting would be the new lighting and it would light all of the area in question. It would be beneficial to light up the new area as well as the old area. The cost was questioned; Ken will get the information and bring it back to the Board. Nothing has been finalized.

Cydney further questioned who and if the groomer goes across the area and damages it, is it an offense that a ticket could be issued? Fish and Game would be the enforcer. Ken Roberts will not allow this and the sign posts are too close for the groomer to go through the posts anyways.

Lou LaCourse made a motion to allow Ken Roberts to install the snowmobile signs in the area he recommends and Phil Wittmann seconded.

Discussion: On another note, Lou LaCourse has been down to the Bay and it looks great. The Garden Club has done a lot of work. There is a meeting next week with the Historical Society to work on plans for a gazebo across the street.

After the discussion all were in favor of the motion on the table.

#### Land Use Items as recommended by the Tax Assessor

John Markland made a motion to approve the 2015 Administrative Abatement for Map 9 Lot 14-116 for \$468.83 and Cydney Johnson seconded with all in favor of the motion.

John Markland made a motion to approve the 2015 Timber Warrants, total amount of \$585.65 for Map 9 Lot 32 Operation 15-011-02-T for \$129.58; Map 16 Lot 26 Operation 15-011-06-T for \$32.09 and Map 6-27, 6-31, 6-28-6, Map 3-22 for \$423.98 and Cydney Johnson seconded with all in favor of the motion.

John Markland made a motion to approve the 2015 Timber Warrants, total amount of \$2,326.63 for Map 9 Lot 6 Operation 15-011-16-T for \$94.71 and Map 15 Lot 5 Operation 15-011-14-T for \$2,231.92 and Cydney Johnson seconded with all in favor of the motion.

John Markland made a motion to approve the 2015 Current Use Warrant for Map 19 Lot 58 for \$4,500.00 and Lou LaCourse seconded with all in favor of the motion.

#### Fuel Contracts

At this time of year, the Finance office looks into the new Heating Oil and Propane Contracts for the Town. We currently use AD & G for oil with a current price per gallon of \$2.22. There are two (2) options on the new contract

- \$1.961 per gallon, delivered
- A flexible rate at a rate of what the current daily rate is plus .25 cents per gallon, delivered.

Liz Dionne is recommending the first option at \$1.961 per gallon, delivered with AD & G Fuel Company who is the current vendor.

We currently use Eastern for propane with a current price of \$1.37 per gallon. They are offering it to us for \$1.23 per gallon and would recommend this contract. Propane is a bit different due to if you change vendors then you need to remove the old tanks and replace them with the new vendor's tanks which can become very cumbersome.

Cydney Johnson inquired if the office looked at any other vendors other than the current vendor who needs to know tomorrow morning. It was not believed that this was done. John Markland questioned who the school uses as a vendor. It was unknown for the oil. Eastern can offer the same to the school for the propane if they choose to

use them. The thought was we might get a better rate if it was combined with the school. Last year the Town got a better rate on their own as the deadline was missed to combine with the school. A decision needs to be made tonight, AD & G needs to know tomorrow morning and the prices are very volatile.

Cydney Johnson made a motion to accept the propane contract price with Eastern Propane at \$1.23 per gallon and Phil Wittmann seconded with all in favor of the motion.

The rate for oil is today's rate. On a side note AD & G will deliver to our Welfare clients at the same costs, other companies will not deliver at the contract price.

Lou LaCourse made a motion to accept the bid of \$1.961 per gallon with AD & G Fuel Co. for the upcoming year and Phil Wittmann seconded. The vote was 3 approved, 1 opposed, John Markland.

#### NH Boat Museum Antique Boat Show; August 13<sup>th</sup>, Town Dock Usage

This is an annual event.

Lou LaCourse made a motion to accept the New Hampshire Boat Museum use of the town docks to hold the 40<sup>th</sup> Annual Alton Bay Boat Show on Saturday, August 13<sup>th</sup>, 2016 from 7 AM to Noon and Cydney Johnson seconded with all in favor of the motion.

#### Unlicensed Dogs Notification

The Civil Forfeiture Warrant is done by statute, the list of unlicensed dogs is on the Selectmen's signature table and will be provided to the Police Department who notify the people that they need to get their dog(s) licensed. It is necessary for the Board to authorize the Warrant so the Clerk's Office can move forward. Additional fees will be charged to the owners.

John Markland made a motion to accept the Warrant for the unlicensed dog notification as submitted by the Town Clerk, Lisa Noyes in accordance with RSA 466:14 and Cydney Johnson seconded with all in favor of the motion.

#### Appointment of Health Officer and Deputy Health Officer

Cydney Johnson made a motion to renew the appoint of John W. Dever, III as the Health Officer and Lou LaCourse and John Markland simultaneously seconded with all in favor of the motion.

Cydney Johnson made a motion to appoint Cynthia Calligandes as the Deputy Health Officer and Lou LaCourse seconded with all in favor of the motion.

#### Appointment Recommendation; Parks and Recreation Commission

Phil Wittmann made a motion to appoint Nancy Downing to the Parks and Recreation Commission and Lou LaCourse seconded. The vote was 3 approved, 1 abstention, John Markland.

#### Appointment Recommendations; Milfoil Committee

John Markland made a motion to appoint Sally Ferbert to the Milfoil Committee and Cydney Johnson seconded with all in favor of the motion.

John Markland made a motion to appoint Pamela Martin to the Milfoil Committee and Cydney Johnson seconded with all in favor of the motion.

#### **Public Input II**

Steve Parker approached the Board in regards to the town docks. He recommended the need for the rubber bumpers to be upgraded. Lou LaCourse noted that it was previously discussed to use some old fire hose to make bumpers for the docks. Mr. Parker stated it would be okay as long as the fasteners used go in far enough as not to damage the rug rails especially on the antique boats. The current bumpers that are being used are great but they do need updating; some are broken some are missing. Also, Parks and Recreation normally donates four (4) sets of C9 lights to be placed on the Water Bandstand from Rocky Hardware in Concord and he would like for them to be ordered and installed soon and offered to install them at no charge.

Jeff Clay approached the Board to converse about Non-Public Sessions. There needs to be a very special/specific reason to enter into these sessions and we have a right to know what is discussed.

Ruth Messier approached the Board and is at a loss for words after listening to a lot of the things this evening. There are many times that you have to discuss items in Non-Public Session. The Town Administrator reaffirmed Ruth's question that she does not mind being called Liz. Ruth stated "All the nit picking, is about the only way she can think of to describe everything I have had to sit here and listen to. I admire all of you for sitting there, not saying anything or doing anything; I am proud of you!"

Ray Howard approached the Board in regards to his previous experience as a Cemetery Trustee. He stated and believed that the Board will still need to comply with the RSA regulating the witnessing of a burial, the signing of the burial, the certificate, the placing of the burial certificate into the book. Those are things that can't be done by just someone; it will have to be done by a Select person. A Trustee had to be at the grave with a burial. Cydney Johnson noted that there are actually two (2) RSA's, one that deals with Trustee's and one that deals with the Town. Mr. Howard wanted to make sure that there were no oversights.

**Non-Public Session:**

Cydney Johnson made a motion to enter into non-public session pursuant to RSA 91-A:3, II (a) and (c) and John Markland seconded. The Board was polled in the affirmative with all in favor of the motion.

The meeting adjourned at 7:40 PM.

Respectfully submitted,

*Mary K. Jarvis*

Mary K. Jarvis  
Recording Secretary