

**ALTON BOARD OF SELECTMEN**  
**Meeting Minutes**  
**August 23, 2010**  
**Public Session I**  
**ALTON TOWN HALL**

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**At 6:00pm the Chairman convened the meeting of the Board, those present included the following members of the Selectmen and staff:**

**David Hussey, Chairman**  
**Patricia Fuller, Vice-Chair**  
**Stephan McMahan, Selectman**  
**Peter Bolster, Selectman**  
**R. Loring Carr, Selectman**  
**E. Russell Bailey, Town Administrator**

The Chairman led the assembly in the Pledge of allegiance and a Moment of Silence

Vote to Approve the Agenda – R. Bailey added two items to the Agenda: the MS-1 extension and the State Forestry Reimbursement to New Business to be included in the Land Use Items. P. Fuller motioned to approve the agenda as amended, seconded by L. Carr and passed with all in favor.

Announcement: R. Bailey noted that a 76 year old gentlemen will be swimming the Lake from Center Harbor to Alton Bay as a fundraiser event. The finish schedule is to arrive at the Bay on Wednesday, August 25<sup>th</sup> with a reception to follow.

**BOARD OF HEALTH**

D. Hussey moved to recess as Board of Selectmen and Convene as Board of Health, seconded by P. Fuller and passed with all in favor. Board members reviewed Health regulations and issues relevant to the septic system designs within the Shore Land Protection Act and revising the policy. R. Bailey advised the Code Official is making his review, following that he will schedule a Public Hearing. In their discussion the members agreed there is a need to be careful but fair, designs must meet the State regulations, the Board will continue to review waivers requested if they are based on Shoreland Protection Act guidelines, lots close to the water and abutters will require the latest treatment technology, i.e., example: aeration and the Board will continue to grant waivers on an existing system as long as it is designed in accordance with State standards and regulations including grandfathered properties. The Board agreed to conduct a Public Hearing. R. Bailey will schedule a Public Hearing and finalize a policy. P. Fuller moved to adjourn as Board of Health and to reconvene as Board of Selectmen, the motion was seconded and it passed with all in favor.

### **Selectmen Committee Reports**

P. Bolster – P. Bolster stated he had attended a Scenic Byway Committee meeting promoting trails around the Lake, etc. He will be bringing back reports to the Selectmen. He continued that the current the Downtown Revitalization Committee is holding their last meeting soon, hopefully Parks and Recreation will be taking over the maintenance and commended J. Fry and the committee for the work that has been completed thus far, Selectman Bolster continued that for her efforts Judy has received awards from LRPC and the ABA. He gave a brief report on his meeting with the Planning Board and Conservation Commission on issues of Town owned land and possibilities of selling. He will have more on this later. Permission to sell will have to go on the Town Warrant.

S. McMahon noted the Old Home Day parade went “pretty well” he and Selectman Carr participated. He will be attending the School Board Meeting and will be reporting on those meetings.

L. Carr advised he and R. Bailey have been continuing their review of Town buildings, and a report should be ready for the next meeting. The Energy Committee will meet in the fall.

P. Fuller reported that noted the Coalition Communities have been working on easing the 2011 donor town impact. The Budget Committee has met, a Public Hearing was held on the Teachers' contract, she noted the Selectmen had voted “not to recommend it”, This coming Thursday will be a review of the JMA teacher's contract, the Selectmen will not recommend that.

D. Hussey reported that the Planning Board had met on the 17<sup>th</sup>, he highlighted that Bahr Properties will begin projects at the entrance to Hannafords, conditions have been met. Expansion may include Hannafords and the bank and possibly a restaurant. Other applications under consideration are closer to the circle which may include a Mexican Restaurant. They are still working on sub-divisions regulations. P. Bolster added that work is beginning on Stockbridge Corner and Coffin Brook Roads.

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**Town Administrator Report**

R. Bailey advised that if the Fire Department had an emergency where a helicopter was needed, it has been noted that they would like to work with the school to set up landing lights, cost would be about \$242 at Alton Central School. Following a discussion of this matter, the Town Administrator will research what the lighting standard is for helicopter landing lights. R. Bailey continued that there has been no response to the sale of Town Equipment and he would like to re-advertise and that he had also reviewed using e-bay, this would not be feasible for the amount of items and a fee would be involved, he will look into Craig's List. Sale items include doors and a stove. He noted a safe has been opened, which could be over 100 years old and there are documents dating back to 1859, and some historical data.

P. Bolster read a notice that to avoid lighting at the school to use power line markers and a wind sock instead. He motioned to purchase the power line markers and a wind sock, seconded by L. Carr and passed with all in favor.

**Public Input I**

D. Hussey read a statement from the Town Attorney with regards to citizen complaints against the Alton Police Department (see attached)

The Chairman recognized Raymond Howard – R. Howard noted Alton Central school would be undergoing renovations, and how construction would be affected by a helicopter landing on site as they create a 'sand blasting' effect and recommended use of the traffic circle. D. Hussey advised this would be taken under advisement.

Cydney Johnson – C. Johnson asked for clarification about the Selectmen's meeting schedule. R. Bailey advised the Board normally meets on the 1<sup>st</sup> and 3<sup>rd</sup> Monday unless there is a holiday, and one meeting a month during the summer at 6:00pm. She asked about the minutes of July 19<sup>th</sup> noting they have not yet been approved. P. Fuller advised the Board had not met on a Monday evening since then. C. Johnson stated that the Board had convened in Non-Public Session with the Police Chief, it noted a complaint had been made by C. Johnson and she asked what that complaint consisted of, as she had asked for an appointment with the Board but was refused the opportunity, she did not make a complaint. She asked what information was discussed on her behalf. D. Hussey advised the minutes were sealed, C. Johnson disagreed as she had a copy. R. Bailey advised the minutes were just what was written, but as far as a discussion it was not documented or recorded. The only record is the subject and any decisions.

C. Johnson asked again how a complaint could be discussed when there was no complaint. P. Bolster stated this request could not be granted until procedures had been followed in accordance with Town policy and from advice by the Town Attorney. C. Johnson asked how the Board would know the intent of her request, P. Bolster replied in this instance, there was a newspaper accounting.. C. Johnson stated, "I think you're making an assumption, you have assumed I would like to meet with you regarding something that was written in the newspaper "how would you know that was the content of my intent." and based on the minutes an assumption was made on behalf of the Selectmen and apparently on behalf the Chief of Police as to what she wanted to come in and meet with the Board..

R. Bailey advised no details were discussed, she had spoken to the Secretary about the procedure for requesting a meeting with the Selectmen.

C. Johnson stated she was not permitted to be included in any discussion, this was not the way to conduct business and unacceptable to her, and asked for a solution, D. Hussey advised he would look into this matter.

C. Johnson expressed further concerns she had including that the Board and Chief of Police meet with her jointly, as well as following a chain of command, notifying the State Police, the Attorney General office, the responsibility of the Selectmen, her concerns with minutes and why motions were not seconded, statements and opinions of Town Attorney, costs of Attorney fees, supervisory positions, representation of citizens, filing complaints with the Police Chief, safety concerns, the police report on the incident pertaining to her, etc.

C. Johnson expressed her disappointment that members did not vote to meet with her or call her, or represent her. There is a breakdown in communication. P. Bolster advised her that her request to meet with them, must have a reason and procedures need to be followed.

The Board and C. Johnson discussed other issues outlined in newspaper articles and an e-mail written to R. Longabaugh from by C. Johnson. In a discussion it was noted e-mails are public documents. L. Carr questioned why her e-mail was given to the Board members. C. Johnson expressed her disappointment in R. Longabaugh distributing this e-mail message. She noted contents of e-mails can be changed.

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Ryan Heath – Chief Heath noted he had received the same e-mail and it was not private. He had previously responded to C. Johnson, by e-mail and gave her a copy of the police report on request, he did offer to meet with her. For clarification, Chief Heath continued there was no assumption on anyone's part or insinuation, there was first hand information. L. Carr and Chief Heath discussed the information. R. Heath advised there were issues where the confidentially or making arrests or influencing arrest or unlawful arrest which would expose the Town. He noted he would be "more than happy" to meet with C. Johnson, and stands by his decision made in this matter.

Barbara Howard – B. Howard stated she speaks out over things that affect taxpayers and citizens need to know that Town Officials are working for them.

A citizen stated she was with C. Johnson at the Police Department and a key point is being overlooked, she continued women need to feel safe and that the police did not look at the entire situation, and that she herself, would not seek help from the Alton police department. P. Fuller disagreed because the Alton PD was there for her in her time of need.

Robert Longabaugh – B. Longabaugh stated he was baffled because the e-mail was sent to 4 people and not anyone else. L. Carr advised he probably should not have this copy. B. Longabaugh stated he first taped Selectmen's Meetings in 1999 but when the Board meets in Workshops, these are not televised. H suggested and not to conduct people's business in Workshops, as the Town's Business needs to be transparent. S. McMahon replied there are not persons interested to tape these workshops.

L. Carr stated that R. Bailey gave the Board the exact e-mail sent by Cydney Johnson, he did not miscommunicate.

C. Johnson stated she had not received Chief Heath's e-mail and as far as the safety issue she had to release personal information to someone she feared. All her personal information is listed on the Police Report but nothing for the gentlemen. The Selectmen should know, that private information should not be given out. D. Hussey advised the Selectmen do not interfere with Police activities.

Chief Heath added all the appropriate Police and State procedures were followed correctly on the report C. Johnson had received.

C. Johnson agreed to would meet with the Police Chief, the Town Administrator and a third party. Chairman Hussey advised he would respond to C. Johnson personally.

Raymond Howard – R. Howard asked about the School Building and Grounds Committee, it appears they deliberately conduct their meetings when the Selectmen meet. P. Bolster explained this was normally the date scheduled for the School meeting night.

A citizen asked about the correct procedures to follow as to meeting with the Selectmen, and suggested to put this information on the Town web-site

### **Vote to Approve the Selectmen's Minutes**

L Carr motioned to accept the workshop minutes of July 12, 2010 as presented, Public Session I & II and (sealed) Non-Public Session, seconded by P. Fuller and passed with 1 abstention(SM).

L. Carr motioned to accept the workshop minutes of August 12, 2010 as presented, Public Session I & II and Sealed Non-Public Session, seconded by P. Fuller and passed with 1 abstention (SM)

L. Carr motioned to accept the workshop minutes of August 6, 2010 as presented, Public Session I and II and (sealed) Non-Public Session, seconded by P. Fuller and passed with 1 abstention (SM)

L. Carr motioned to accept the workshop minutes of July 23, 2010, Public Session I & II as presented. P. Fuller amended the Non-Public Session (date should be July 23rd not June 23rd)L. Carr amended his motion to include the corrected date, seconded by P. Fuller and passed with all in favor.

L. Carr motioned to accept the Selectmen's Minutes of July 19<sup>th</sup>, as presented with one correction on page 5 for Public Session I and II and (sealed) non-public session, seconded by S. McMahon and passed with one abstention (PF)

### **Old Business**

1. Project Status Report – R. Bailey stated that in regards to Places Mill Bridge, the decision needs to be made as to whether the construction will begin this year. The road will be closed for 30 days. R. Bailey continued the Traffic Circle Bid will be awarded in mid October, but most of the work would take place in the spring and summer. L. Carr asked about the time frame at Places Mill Bridge, R. Bailey noted it was a precast bridge, but he will ask the engineer as part of the bid response about a time line for this year.

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2. Grant Fund Acceptance – R. Bailey will review this further with the Police Chief, the grant is for the SMART radar system. A motion was made by D. Hussey, seconded by P. Bolster to accept the funds for the application for this grant.
3. Proposed Legislation – R. Bailey noted this was scheduled for September 17<sup>th</sup>. P. Fuller and P. Bolster will attend. Some items are assessing issues, and he is waiting on a review from the Town Assessor for his input. At the next meeting the Board would have to give direction to P. Fuller for her to vote. The Board then reviewed some proposals as submitted from the Local Government Center and this will also be put on the agenda for the next meeting.
4. Perambulation Request – R. Bailey asked about approving the request from Barnstead Selectmen to do a perambulation on Town boundaries. Barnstead has a point where 4-5 Town boundaries meet together and if the Board approves he will write to the Selectmen to ask if those Town representatives should also be invited, but that Barnstead should invite them as they initiated this request. S. McMahon motioned to have the Town Administrator write a letter to Barnstead agreeing to the perambulation and to suggest inviting other Towns, seconded by P. Fuller and passed with all in favor. P. Bolster volunteered to walk.
5. Old Wolfboro Road Intersection – R. Bailey recommended a preliminary drawing of a proposed change and to then schedule a Public Hearing. R. Bailey advised a Town Engineer and the Highway Agent could review the plan, but the Board could schedule a hearing. D. Hussey motioned to schedule a Public Hearing, at the next regular meeting, seconded by P. Fuller and passed. L. Carr asked about the parking spots beyond the pizza shop and in the proposed change in traffic lane at Wainwright Insurance Co.

### **New Business**

1. 2011 Budget – R. Bailey explained COLA will be 1.6% and recommended other non-personnel items no more than 3%. He will also schedule budget meetings with Department Heads. He recommended tentative dates for the Selectmen, beginning Monday September 27<sup>th</sup> and the following week, three times a week to get the budget finished, the Budget Committee will need the budget department books in October. R. Bailey will review the Selectmen's schedule with Department Heads.

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2. Land Use Items – R. Bailey recommended all items could be approved but there is an issue on one of the items that will have to be discussed in Non-Public Session. R. Bailey asked for a motion to file the MS-1 Extension with the State until September 30th. The Board voted unanimously to approve the land use items as presented and to discuss one item in non-public session, and to send the MS-1 Extension, the motion passed with all in favor.

3. County Commissioners – Letter from the Town of Gilford – R. Bailey advised this is in reference to Sherriff Police Dispatch and our staff has no recommendation on this. It was noted the Town of Gilford should work on this with the County. Following a discussion, it was agreed the Alton Selectmen would need more facts and also be involved in any discussion with the County over this issue. R. Bailey will review this matter further this with the County Administrator.

4. Heidke Fund – Policy amendment – R. Bailey stated the Gilman Home Fund for the Elderly has recently been established to assist the elderly. The Welfare Officer has recommended an amendment to the Heidke Fund Guidelines to add the services available from the Gilman Home Fund to the Heidke Guidelines (Section 3) and applicants could apply to the G.H. Fund. L. Carr so moved, seconded by P. Fuller and passed with all in favor.

5. Request – American Legion – R. Bailey noted this is a request for a raffle permit, and is an annual request that needs approval from the Board.. L. Carr motioned to approve the permit for the American Legion Post # 72 as requested, seconded by D. Hussey and passed with all in favor.

**Public Input II**

Raymond Howard – R. Howard asked about the dispatch, and fees. He was advised some monies go to maintain the E 911 program. P. Bolster will check into the revenues and costs and their budget. He added Reverse 911 is still in process. R. Bailey noted Emergency Management is also involved.

Barbara Howard – Asked what about the fundraiser by the elderly swimmer R. Bailey advised it was for children's' programs.

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**Non-Public Session** - Chairman Hussey motioned to enter into non-public session pursuant to RSA91-A:3,II (a) (c) and (e), seconded by P. Fuller, The Chairman polled the members who each voted in the affirmative and the motion passed with all in favor.

Respectfully submitted

E. Russell Bailey (Recorder)  
Town Administrator

Patricia Rockwood, Secretary (transcriber).

Minutes Approved: September 20, 2010