

ALTON BOARD OF SELECTMEN
Minutes
November 16, 2020
(Approved – December 7, 2020)

V. MacDonald announced the following:

Until Further Notice: To comply with RSA 91-A, the State of Emergency, and Governor's Orders, restrictions on public gatherings the Town is limiting attendance at Public Meetings to conform with current social distancing guidelines. The Town will also continue to offer remote access for those that cannot attend or wish to remain home. To remotely attend the meeting (audio and video) visit our website: www.alton.nh.gov on the day of the meeting for instructions or telephone the Selectmen's Office 603-875-2113 or 603-875-0229. There continues to be no Public Input at this time.

Vice-Chairman V. MacDonald convened the meeting at 6:00 PM and led the assembly in the Pledge of Allegiance to the Flag and a Moment of Silence.

The following staff members were present:

Reuben Wentworth, Chairman, Late Arrival 6:20 PM
Virgil MacDonald, Vice Chairman
Philip V. Wittmann, Selectman
Paul LaRochelle, Selectman
Bob Holt, Selectman
Elizabeth Dionne, Town Administrator

Agenda Approval

B. Holt requested to add Selectmen's Public Attendance at Meetings to New Business.

P. Wittmann made a motion to approve the agenda as amended and P. LaRochelle seconded. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes V. MacDonald, yes

Emergency Management Update

None

Announcements

- Town Office's will be closed on Thursday and Friday, November 26th and 27th for the Thanksgiving Holiday.

Submission of Public Comments - Questions - Concerns

None

Appointments

None

New Business

Alton Business Association - Approval; Wreath Donation

L. Dionne informed the Board that the request is to approve a donation of a large wreath for the front of the Town Hall from the Alton Business Association (ABA). In addition, they have requested to decorate the tree in the front of the building.

P. LaRochelle made a motion to accept the donation of the large wreath from the Alton Business Association and P. Wittmann seconded. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes V. MacDonald, yes

Selectmen's Meetings - Public Attendance

B. Holt noted by listening and seeing things progressing with COVID and the increase of numbers within the second wave, he feels that the Board should revert to the old schedule of no public attendance at the meetings and that they set an example for the public. Previously there was a decline but now the numbers are increasing. He recommends this action. J. Beaudoin, Fire Chief was called upon informing the Board at last count there are fifteen (15) cases in Town. For the most part they are not clustered together. There is not good contract tracing to base this issue. DHHS has backed off of the tracing as they cannot keep up with it and are trying to base things on preventing the spread. L. Dionne offered to take this to the EMT meeting on Wednesday to review. The meeting is 11/18 at 1:30 PM. If it is the consensus of the Board to revert to this then the EM Team could set this. This would be done as a safety measure for all involved. J. Beaudoin stated that as cases increase B. Holt is correct with his suggestion. It was the consensus of the Board to allow. Roll call consensus:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes V. MacDonald, yes

P. LaRochelle suggested that if Chairman R. Wentworth cannot attend the Wednesday EMT meeting then another Selectman should attend. L. Dionne stated that with members of the EM Team being present then they can certainly inform the Team.

Old Business:

Fire Department and Water Department - Fence Project

J. Beaudoin, Fire Chief and C. Mitchell, Water Superintendent addressed the Board. Previously, only one quote was presented to the Board. Two (2) companies presented are fence companies the other being a box store; with a fence company it is more expensive. By far, Lowes is the recommended bidder. The question is getting this done before the ground freezes. C. Mitchell would like to see this project done next year and might be more beneficial. Pricing being held is unknown as well as material costs. L. Dionne questioned the funding of the project from both departments involved; Water would be the Revolving Fund and Fire it is within the budget and would like to encumber the funds if it goes into next year. Encumbered funds process was explained. P. LaRochelle asked about drawback if it is not done at this time; he was informed that it will not interfere with anything. B. Holt wondered why it couldn't wait. A decision needs to be made in order to find out one way or the other to determine if it will move forward this year. P. Wittmann feels that it should be approved in order to proceed and know whether it can be done or if it has to wait.

B. Holt made a motion to approve the bid as presented to Lowes for \$9,763.41; \$4,277.59 Fire Department cost and \$5,485.82 Water Department cost and P. LaRochelle seconded. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes V. MacDonald, yes

Water Department - Arsenic Test Results

C. Mitchell, Water Superintendent explained that there was some confusion regarding the Arsenic levels at Levey Park. V. MacDonald wanted to know if there was anything that needs to be done at Levey Park in order to avoid a freeze at the location. C. Mitchell began with explaining the violation. Specifically the Town was on a quarterly sampling. Quarter 3 was supposed to be taken at Levey Park, there was a high arsenic level at .019 which just puts it over the threshold that put us in a violation status. Then, another quarterly sample was taken and was her misunderstanding that if it was under the limit the Town would be out of violation, this is not the case. There is a running annual average, most Towns have testing throughout the year not just quarterly. After speaking with DES if twelve (12) concurrent samples are taken for consideration of a running sample. Since the last violation another sample has been taken which showed the level at .0032. The standard in July 2012 will be .005 and each Monday sample are being taken leaving Levey offline. Another test result was submitted today totaling four (4) which should give the confidence to put Levey Park back online into the system so that the water line does not freeze and gain the confidence that the levels are declining. Other testing came in at .0026 and .0021 which show as significant drop in the levels. Arsenic levels could still come up but with the drop to the standard at .005 we are still far away from that level. There is enough evidence with the well running regularly, it should be turned onto the system running Monday to Thursday then Jones Friday through Sunday. If limits are exceeded and we have a bad sample, there is now a SOP for sampling with the well running at least 24 hours before a sample is taken.

Currently we are doing quite well. B. Holt asked if there is a problem and treatment is necessary what would need to be done. C. Mitchell responded it would have to be engineered, the station is not big enough for any type of filtration. Treatments would depend on the type of arsenic. General sampling can be done for performance which will indicate to the department its direction. The hope is to get Levey back online with it only running water approximately 3 hours a day.

At this time, R. Wentworth joined the meeting.

On another note, Mooney Street has a bit of a problem. The fusion machine can accommodate two (2) types of pipe. There are inserts necessary but the machine does not have both inserts. The Highway Department was able to assist and will be delivered tomorrow and hopefully will be able to stay ahead of the excavator to get the job done.

2021 Church Street and School Street Road Reconstruction - Discussion and Finalization

K. Roberts, Highway Manager joined the Board for discussion of the Church Street and School Street Road Reconstruction project. R. Wentworth had a visit from a couple of residents over the weekend who added input to the project. Moving from Main Street down School Street to Route 140, the neighbors on the left side have come together agreeing that moving the sidewalk to the other side of where the telephone poles are located. This way the kids would not need to cross near the curve in the road. Both P. LaRochelle and B. Holt agreed they had thought about this issue. K. Roberts stated that the whole idea of the sidewalk is to protect the telephone poles. The parking area in front of the Veterinary Clinic would not be there because of the granite curbing. The tree further down would need to be looked at. Possibly moving the fire hydrant. Various suggestions were made for the areas in question. Drainage, telephone poles, water lines, parking, road curve, straight turn opposed to rounded curve etc. were discussed. The Engineer would best be able to get the road in realignment. K. Roberts and C. Mitchell will speak with the Engineer who drew up the plans. K. Roberts summarized the project concept; sidewalk on the same side, granite curbing in front of the telephone poles not behind them and granite sidewalk 4 feet wide 4 inches thick sub-base with grass on each side, grass fading out just after the last telephone pole just before the school and the granite curbing will come back to the school entrance. All the drainage is on the opposite right hand side of the road and if it cannot it will run a cross culvert across with a catch basin. The intersections at School Street/Pine Street and Church Street/School Street for the realignment. A rough draft will be provided before it is finalized. Basic standard pipes will be used for the drainage system until it gets beyond Church Street towards Mill Pond. Mill Pond will need to be protected as best it can. On the lower side there are catch basins on both sides of the road. On the right will be the mains 6 feet in diameter trapping everything possible. V. MacDonald inquired about a swale at the end before it gets to Mill Pond. Currently there is an open swale across the street that belongs to the State. The catch basin at the end of the street will probably be modified; the next catch basin going towards Mill Pond will be asked to be designed so that it is collective. Sidewalks with curbing and parking will run all the way down through the right hand side of the road. R. Wentworth asked about the parking and right-of-way on Church Street and the possibility of switching the parking from one side of the road to the other or whatever works best. The drainage will all be a closed system. Distances were discussed at the end of the roadway, trees on the Hayes property are questionable. Mr. Hayes should be contacted regarding the potential for the tree removal if needed. K. Roberts will speak with Engineer Mark Sargent to put a preliminary together with all of the ideas that have been discussed with the residents and Board; this will come back to the Board to be sure that everyone is in agreement. Once this is done then an estimated cost will be calculated before it goes out to bid. K. Roberts will consult with C. Mitchell, Water Superintendent. Possibilities for offsetting costs for the drainage system were mentioned. This will all be drawn into the plan for review before it is finalized. Hopefully this can go out to bid sometime in January.

On another note, K. Roberts mentioned a couple of Public Hearings moving forward for roadway acceptances asking how they would be handled. The meeting room can accommodate 15 people and the Museum would need to be opened. This will need to be worked out between all involved.

2019 Auction Revenues

The auction Revenues money issue was sent to the Town Attorney for his input. In his opinion the auction funds can be transferred from the escrow account and placed into the general fund; it can be released. The balance of the escrow account is \$220,570.03 which is the amount that was brought in, in total, from the sale of the properties. L. Dionne is requesting a vote on this.

P. Wittmann made a motion to release the auction revenue funds and all accrued interest from the 2019 Auction Escrow Account held by the Town Treasurer and place all of these funds and interest into the General Fund. As of September 30, 2020, said funds totaled \$220,570.03. Once the transfer has been made, the 2019 Auction Escrow Fund is to be closed and V. MacDonald seconded.

Further discussion: R. Wentworth noted that at any given time anyone at any time can sue the Town of Alton for anything. The ruling from the Polansky case which is believed to be in Hillsborough County was referenced and is case law from Superior Court. R. Wentworth does not feel that the overage of the monies from the auction sale should go to the Town and not the bank and/or property owner. L. Dionne noted that the 2019 Auction was an Absolute Auction. Originally the funds could not go into the General Fund due to the prior referenced legal case and all Cities and Town's remain the same with their auctions.

The motion on the table was called. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

Selectmen Reports

B. Holt reported on the Milfoil Committee regarding DASH. The company that has been performing the services for the Town is no longer going to be doing the work. An email was received from the Chairman who is working with K. Troendle, Parks and Recreation Director to draw up a bid. Currently they have three (3) contractors they are considering.

P. LaRochelle reported on the ZAC Committee which is now complete with their reviews. There are six (6) amendments which are now going to the Planning Department for review.

P. Wittmann had nothing to report.

V. MacDonald reported that the meeting of the Planning Board is not until tomorrow night. The Conservation meeting was cancelled.

R. Wentworth reported that the Budget Committee met last week. He has stated his position as a Selectman at the meeting that he represents the Board of Selectmen as the Selectmen's liaison not as the Budget Committee's liaison to the Board of Selectmen. He feels that at times certain members of the Budget Committee are trying to set policy vs. recommending or not recommending. When a budget is presented to them whether from the Board or the Departments it is their duty to recommend or not recommend. He informed them that if they want something brought back before the Board of Selectmen they needed to make a motion with the majority approving then he would bring it back to the Selectmen otherwise he would not bring it to the Board. The Board members were in agreement with this. Noted: the motion that was discussed failed. The budgets are moving along, the departments have done a great job answering their questions and the same with the Town Administrator and thanked all departments for their support and being at the meetings in person which makes it easier.

Town Administrator Report by L. Dionne

Waive Property Tax Interest

A document was provided to the Board from L. Noyes, Town Clerk/Tax Collector in reference to waiving property tax interest. Currently by law she is allowed to waive any interest up to \$5.00 anything more than that has to come before the Board for approval. Her request is to increase that amount from \$5.00 to \$10.00.

P. LaRochelle made a motion to allow the Tax Collector to waive the Property Tax Interest increasing from \$5.00 to \$10.00 and P. LaRochelle seconded. Roll call vote:

B. Holt, yes	P. LaRochelle, yes	P. Wittmann, yes
V. MacDonald, yes	R. Wentworth, yes	

Solar Array RFP

The Solar RFP as previously requested by the Board was reviewed by Attorney Sessler, he is fine with it but wanted to be assured that if this is approved and things start to move forward step by step that all future documents would need to come before the Board such as the lease contract, the PILOT Agreement and the Rebate Agreement which are the three (3) forms of revenue. These are not all done at once and would be taken to the Attorney for review then brought back to the Board for approval. R. Wentworth asked if this opinion was written or verbal; L. Dionne responded, verbal. R. Wentworth would like it in writing to be kept with the file for future reference; L. Dionne will obtain.

P. LaRochelle made a motion to approve the RFP as submitted for the Solar Array with NE Solar Garden and V. MacDonald seconded with discussion.

Further Discussion: R. Wentworth reiterated that this allows the company to move forward with applying with DES for permitting, it is not for them to begin building. L. Dionne noted it was just giving the approval to work with the company who submitted the bid.

The motion on the table held. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes
V. MacDonald, yes R. Wentworth, yes

Press Release - Setting Tax Rate

R. Wentworth would like to see included that there was no Road Reconstruction \$950,000 voted on which also cut that budget by a million dollars. Most residents don't ask all of the questions and once the increase is explained the people are much more understanding. L. Dionne will reference the Road Reconstruction. The Board was in agreement by consensus. Roll call consensus:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes
V. MacDonald, yes R. Wentworth, yes

Shibley's Lease

To bring the Board up to date GC Engineering is going to be on site this week measuring the area and will be creating the plot plan which will include the 10' curtilage. The reason that this is being brought to the Board's attention is because the other little foot wooden dock that is down by the public boat launch and used primarily by people who are loading their boats is currently within the curtilage area, just a portion of it is within (27 square feet or 9x3). Does the Board want this to be maintained by the Shibley's or by the Town. The Board feels that this should be maintained by the Town. According to the Town Assessor, Shibley's is not being taxed on it. R. Wentworth feels that this is the only thing that should be pulled out of the 10' curtilage and should be written into the lease agreement. For clarification, it is the small cat walk at the bottom of the boat launch to the right. The 9x3 section was within the lease but Shibley's was never taxed on it. R. Wentworth is requesting that that portion that is within the 10' curtilage be kept by the Town but written into the lease agreement and they would be excluded from taxation on that portion and the Town would maintain it with the curtilage adjusted. Mr. Shibley has not been spoken to in reference to this however, L. Dionne feels that he will be in agreement. P. LaRochelle feels that the cat walk is important for the residents/public to be able to access and use for loading their boats. This is the time to write this into the lease and will define it specific. It was the consensus of the Board to move forward as discussed, Roll call consensus:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes
V. MacDonald, yes R. Wentworth, yes

Approval of Minutes

November 2, 2020 - Regular

V. MacDonald made a motion to approve the minutes of the Regular Meeting, November 2, 2020 as presented and P. LaRochelle seconded. Roll call vote:

B. Holt, yes
V. MacDonald, yes

P. LaRochelle, yes
R. Wentworth, yes

P. Wittmann, yes

November 2, 2020 - Non-Public

V. MacDonald made a motion to approve the minutes of the Non-Public Meeting, November 2, 2020 releasing #1 sealing #2 and P. Wittmann seconded. Roll call vote:

B. Holt, yes
V. MacDonald, yes

P. LaRochelle, yes
R. Wentworth, yes

P. Wittmann, yes

November 9, 2020 - Budget Meeting

B. Holt made a motion to approve the minutes of the Budget Meeting, November 9, 2020 as presented and P. LaRochelle seconded. Roll call vote:

B. Holt, yes
V. MacDonald, yes

P. LaRochelle, yes
R. Wentworth, yes

P. Wittmann, yes

Consent Agenda Approval

R. Wentworth made a motion to approve the Consent Agenda November 16, 2020 as presented and P. LaRochelle seconded. Roll call vote:

B. Holt, yes
V. MacDonald, yes

P. LaRochelle, yes
R. Wentworth, yes

P. Wittmann, yes

1. Assessing Department:
Administrative Abatement
Daniel Stirk; 1439 Wolfeboro Hwy #41; Map 19 Lot 8—41; \$126.00
2. Fire Department:
 - a. Certification Change. John Cunningham, EMT-A/FF to Paramedic/FF, \$17.51/hr to \$21.01/hr., effective 11/04/20.
3. Library Department:
 - a. Library Trustee appointment. Sarah E. Hill, Library Trustee, Fill-In appointment, exp 3/31/21.

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

Keith Babb

Currently there is legal action being taken with Mr. Babb therefore the Town Administrator is not recommending this appointment. L. Dionne informed the Board that both parties have Attorney's retained and they are still speaking with legal negotiations ongoing.

P. Wittmann made a motion **not** to meet with Mr. Babb and B. Holt seconded. Roll call vote:

B. Holt, yes
V. MacDonald, yes

P. LaRochelle, yes
R. Wentworth, yes

P. Wittmann, yes

James & Allison Brown - Waiver Request

B. Holt noted he has read through a lot of the provided information and asked what the opinion of the Planning Board is. R. Wentworth asked that V. MacDonald step down and recuse himself as this is a family member. The Board was in agreement. L. Dionne spoke on this stating it is her understanding from speaking with the Town Planner that this type of waiver regarding paving has never been done before. Currently there is no opinion from

the Planning Board. This applicant was requested to provide all of this information. This would be a waiver of the Highway Regulations that were approved years ago by the Selectmen. P> LaRochelle asked if all of the standards are up to a Class VI road except for the paving. L. Dionne does not know. R. Wentworth feels that the best action is to meet with the parties involved. B. Holt asked about who the Board would be meeting with which is unknown. R. Wentworth understands that this is all family that will be building on the same property and once you place more than two (2) buildings on the same right-of-way you have to bring it to the Towns minimum standards. They are asking for the waiver because it is all family. It is being treated as a driveway not a Town maintained road, believing it is the cost involved that is the driving force for not wanting to pave. K. Roberts was requested to approach the Board speaking as the Road Agent. He stated that this is not an unusual request. Due to Alton Shores and paper streets that are everywhere we can't require them to be paved because they were created prior to this. The particular property in question has three (3) lots already, how it got subdivided was probably the same circumstances prior to the 1970's. It is his understanding that there was a road approval that was up in the area quite a ways and it has been being upgraded in that section that was on a paper road. This is just a request to not pave. Not knowing the legal standing because there is already a three (3) lot subdivision in place he doesn't know where the Planning Board stands on this, there are big question marks on this everywhere. He sees no reason and it would be up to the Board to decide. L. Dionne informed the Board that this is just to approve to meet with the Brown's. There will be input by as many parties that are involved. R. Wentworth feels that with his type of situation between family members, they should be able to have a regular driveway or a dirt road with enough to have safety vehicles respond. Once the property is sold to an outsider that is the time the road should be brought up to regular Town standards. This is the purpose of people having large tracts of land. R. Wentworth feels they should be met with. In addition, the referenced three (3) lots that K. Roberts referred to as been previously approved, he would like the information on this. The Board was in agreement.

R. Wentworth made a motion to approve meeting with James and Allison Brown as requested and P. Wittmann seconded. Roll call vote:

B. Holt, yes P. LaRochelle, yes P. Wittmann, yes R. Wentworth, yes

R. Wentworth requested that V. MacDonald rejoin the Board.

Non-Public Session:

At 7:35pm, R. Wentworth moved to enter into nonpublic session under RSA 91-A:3,II,a,b. R. Holt seconded. Roll call vote:

P. Wittmann - yes V. MacDonald - yes P. LaRochelle - yes
R. Wentworth - yes R. Holt - yes Roll call vote carried unanimously

R. Holt moved at 8:35pm to exit nonpublic session. P. Wittmann seconded. Roll call vote:

P. Wittmann - yes V. MacDonald - yes P. LaRochelle - yes
R. Wentworth - yes R. Holt - yes Roll call vote carried unanimously

R. Wentworth moved to "not divulge" the minutes because divulgence of the information likely would affect adversely the reputation of any person other than a member of this board. V. MacDonald seconded. Roll call vote:

P. Wittmann - yes V. MacDonald - yes P. LaRochelle - yes
R. Wentworth - yes R. Holt - yes Roll call vote carried unanimously

Adjournment

R. Wentworth moved at 8:37pm to adjourn. V. MacDonald seconded. Motion carried.

Respectfully submitted,

Mary K. Jarvis
Mary K. Jarvis
Recording Secretary