

ALTON BOARD OF SELECTMEN
Meeting Minutes
December 5, 2016
6:00 PM
1 Monument Square
Alton, NH 03809

Approved: December 19, 2016

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
Virgil MacDonald, Selectman
John Markland, Selectman ~ excused absence
Elizabeth Dionne, Town Administrator

Approval of the Agenda

Cydney Johnson motioned amending the agenda moving Non Public Session to after Public Input II and Virgil MacDonald seconded the amendment with all in favor of the motion.

Announcements:

None

Appointments:

Donna Waszkiewicz; Paving on Stonewall Road and Water Road

Donna Waszkiewicz approached the Board stating that there are 22 houses on Stonewall Road and 9 houses on Water Road. The paving request was submitted due to the dust which she feels is unhealthy. She resides on the corner lot with the road being higher than her yard it has been her observation that the dirt from the road goes into her yard. Cydney Johnson questioned if she had spoken with the Highway Department about the issue with a reply of "yes, and to get as many signatures on a petition as she could". The petition was submitted. Cydney further stated that the roads are taken in the order of priority and need. A list is then submitted to the Board by the Road Agent with his recommendation, for approval, of what he feels is a realistic list by cost and from a safety standpoint. The roads are then placed on the schedule. Generally, there would be a Public Hearing for notification.

John Kubiczski; Engineering Services for Alton Landfill

John Kubiczski approached the Board to request continuation of his environmental consulting services to the Town for the closed landfill. He is no longer employed with ATC Group Services and has begun his own environmental firm. He has been working on the closed landfill project in Alton for approximately 14 years, working with the State and DES to keep in compliance with everything; they are both very pleased with the work being provided. The current contract is a year to year contract with the 2016 work being complete. The new contract would be for 2017 with a year ending date of December 31, 2017. A quote was provided within the provided paperwork (attachment b). Liz Dionne provided the following: the current company ATC is being paid \$150.00 per hour and John's proposed rate would be \$75.00 per hour; Liz highly recommends using John Kubiczski's services, he is very familiar with the current site, he has been with the Town for years, knows all the locations of the test wells and issues that have taken place with the various properties.

It was the consensus of the Board to get back to Mr. Kubiczski once a decision is made. John further noted that he has been an environmental consultant for 37 years, has vast experience working in the State of New Hampshire and is a licensed professional geologist which is one of the requirements for the continued work for these projects.

Tom Varney and David Shibley; Proposed Lease Amendment

Tom Varney, Varney Engineering and David Shibley approached the Board to discuss the proposed changes at Shibley's at the Pier Restaurant. Mr. Varney stated that the propane tank has been changed from the underground area; it will be moved to the area of the air conditioning unit on the other side of the building. According to David Shibley this has since changed; having had conversation with the propane company. The tank will remain where it was previously and the refrigerator unit would be reduced so everything will remain contained within the fenced area. There are two (2) parts to this proposal: 1) the Shoreland permit from the top of the bank towards Route 11 and the Stormwater permit will need to be submitted to the state for approval however it needs to have a signature from the Town. This will have either concrete or porous blocks in front of the storage area. This will take all the water from the parking lot area and will filter through the sandy area for absorption instead of into the lake. At this time, the current plan was viewed by several Board members. Cydney inquired if there would still be improvements made to the back retaining wall. Mr. Shibley responded that if you are facing the lake to the left of the stairs there is erosion, that will be repaired. It was the consensus of the Board not to make a decision tonight; once decided the Town will discuss and get back to them by the end of this week.

Jonathan Downing; Parks and Recreation Commission Annual Status Update and Bylaws

Jonathan Downing was present to discuss the Parks and Recreation Commission other members of the Commission were present and introduced as follows: Nancy Downing, Elizabeth Shelton, Kristin Thomas. Jonathan noted that this was a presentation to give an overview of the Commission's work over the past year.

- Parks and Recreation Programs
- New Skating Rink and Skating Trail on Mill Pond; conditions permitting
 - Barbershoppers
 - 5K Race; needs to be re-registered possible different course
- Bylaws; no problems with them but would like to make 2 recommendations: alternate members (1 or 2 with 2 being the preference) and have as many meetings as necessary with the Board of Selectmen
- Quannippi Trail and Proposed Walking Trails; A map was provided of the trail system and properties from Alton to Alton Bay; kiosks are made and will be placed with the trails marked with signage
- Park Facilities; Parks have been reviewed and gone through for every Town owned parcel, recommend all parks should have a handicapped bathroom facility
 - RR Square/Bandstands; New parking area, Commission would be happy to get involved
 - Harmony Park; Stone wall is being fixed; could be made ADA accessible
 - Town Beach; Sidewalks should be extended to the beach
 - Jones' Field; Expand some of the fields
 - Liberty Tree Park; Parking issues, property needs cleaning up, Fire Department and apparatus encroaching on the property
 - Ginny Douglas Park; Looks nice
 - B&M Railroad Park; Very impressed, looks nice however the buildings could be occupied
 - Riley Road Dock/Beach; Property is being surveyed
 - Roberts Cove Beach; Very impressive
 - Echo Point; There is a ramp, not recognized much, would like Parks and Recreation go in and dress it up a bit
 - Halfmoon Ramp; There is a survey issue; met with their association who doesn't want any improvements done to the ramp. There is a retaining wall that needs to be fixed, biggest issue is site distance, state road
 - AVAS Facility; There is money for improvements, Commission recommends a site plan review; bandaid is not going to work, analyze the septic system
- Summary
 - ADA issues for all Parks and Recreation Facilities; No handicap access to the public docks, bathrooms, ramps to the town docks
 - AVAS Master Plan
 - Sidewalks to Town Beach and Harmony Park
 - Bandstands; Both bandstands need attention
 - Master Plan; Would like to work with the Planning Board, possible bike trails and walking trails
 - Grant Writing; Attended grant writing sessions, there is money out there but the Commission is not up to doing so, somebody needs to do the work
- Reccomendations; Jonathan Downing feels that an architect or an engineer needs to be hired to oversee projects, to deal with the ADA compliant issues reporting back to

the Board in order to do the projects once and do them correctly, to code with proper drawings, plans and specifications.

Cydney Johnson questioned the new skating rink location? This will be located on Mill Pond, if necessary we could have the Fire Department flood the area; it could fit a couple of areas. The Board thanked Jonathan and the other members for the presentation and volunteering of their time. Elizabeth Shelton also commended both Jonathan and Nancy Downing for their efforts on behalf of the Commission.

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

Ruth Arsenault approached the Board inquiring about the proposal that Shibley's at the Pier presented. She was wondering if everything was going to remain within the fenced area? The proposal is to expand the fence down towards the existing dock and in exchange the Shibley's are offering to fix the retaining wall and have additional stormwater runoff plans in place to curtail what currently runs along with sand into the lake; they will absorb that cost. It was noted that brick area in the sidewalk has already been addressed.

New Business:

Contract; Sanders Searches, LLC

Liz Dionne noted this is a request from Town Clerk/Tax Collector. This is an annual contract with the same company that has been used in the past with no previous issues. They are used for back searching deeds, tax liens and properties. There are other municipalities that use this company.

Cydney Johnson made a motion to approve the contract as written between Sanders Searches LLC and the Town of Alton for the 2017 year with a contract cap of \$1,695.13 and Virgil MacDonald seconded with all in favor of the motion.

Surplus Items; Request for Purchase

An offer to purchase some of the surplus items was received however the 2 scaffold ends with 1 cross brace might have some possible use by the Parks and Recreation Department so it will be removed from the list. Lou LaCourse noted that removing that item might change the offered amount. Liz Dionne suggested that if the Parks and Recreation Department looks at the item, determines it does not have a use for it then approve the request and if Parks and Recreation does want the item then I will have a new request submitted.

Virgil MacDonald made a motion to sell the surplus items in the amount of \$50.00 for the 2 metal chairs, 4 wooden chairs and 1 propane kitchen stove and the 2 scaffold ends with 1 cross brace as long as none in the Town needs the scaffolding and Lou LaCourse seconded with all in favor of the motion.

Involuntary Lot Merger; Smith Point Road

Attorney Michael Malaguti was in attendance to present the request on behalf of his clients, Jeff and Constance Walsh who have contracted to purchase 150 Smith Point Road from Robert J. Barnard, Trustee of the Robert J. Barnard Trust. These are identified as Map 64 Lot 16 and 26. The request to the Board is under RSA 674:39-aa to restore certain involuntarily merged lots. lots 9 and 10 into one parcel Lots 11, 12 and 13 as a second parcel and Lots 14 and 15 as a third parcel. A sketch was provided to the Board of a plan dating back to 1908. Attorney Malaguti quoted from RSA 674:39-aa, "Upon request of an owner, lots or parcels that were involuntarily merged prior to September 18, 2010 shall be restored to their prior premerger status"; this applies unless there is evidence of a voluntary merge request. There is no evidence in the towns files of any formal request for a voluntary lot merger. The evidence suggests that this was an involuntary merger somewhere in the timeframe of 1977. A letter was provided from Anna F. Keane dating back to this timeframe addressed to the Town; she asked for an explanation of the receipt of only one tax bill which suggests there was a change made at the Town level for merging of the lots. There would be an incidental benefit to the Town by unmerging with increased tax revenue.

Attorney Michael Malaguti respectfully submit the approval of the restoration as set forth in statute.

A discussion regarding the property, the tax bills, the merger, letters to and from the previous owner and the town, file reviews, voluntary opposed to involuntary, non-conformance, lot sizes, etc. were questioned and discussed by the Board and Attorney Malaguti. Liz Dionne mentioned that this was similar to a previous request earlier in the year, which the Board approved and record keeping back in the earlier timeframe is not what it is today. We continue to run across this issue, it was not a Planning Board issue it was the governing body that just decided to merger certain lots together for whatever reasons. This is why special legislation was created because of the problems that have come forth. A point was brought forward that the lots would be larger than most of the lots on Smith Point Road.

Cydney Johnson made a motion to approve the reversal of the involuntarily merged lots as outlined in the letter from Ransmeier & Spellman dated November 30, 2016 and Lou LaCourse seconded with all in favor of the motion.

2017 Default Budget Approval

Liz Dionne explained that the 2017 default budget which was provided to the Board needs approval by the Board of Selectmen. In order to determine the amount, you take the 2016 budget, make certain changes such as contractual increases, decreases any one time purchase items are removed from the default budget. The COLA for employees is included which is mandated in the employee manual. This form is required by the DRA and needs the Boards signature.

Virgil MacDonald made a motion to accept the 2017 Default Budget in the amount of \$7,124,908.00 and Lou LaCourse seconded with all in favor of the motion.

Old Business:

Warrant Articles Discussion and Board Recommendations

Liz Dionne asked the Board to turn to page eight (8) of the Warrant Article beginning with Article EE-a; the Articles from there forward need to have Board recommendations made. EE-a and EE-b need to be discussed and decided upon as to whether you even want to have those Articles.

Article EE-a is for 75K to be added to the Town Beach/Park Capital Reserve Fund as previously established in 2005.

This article is for the repair Harmony Park retaining wall, Phase I

Ken Roberts, Road Agent and Kellie Troendle, Parks and Recreation Director approached the Board for discussion on this Article. The preliminary cost for received today is approximately \$59,100.00. The first phase is 16' 6" on the side and approximately 33' across in the front. A handout was provided to the Board that was comprised of three (3) phases. The first phase with the cost of the block including the engineering plan from Michie Corp is \$9,900.00 with a labor cost of approximately \$49,200.00 from Winnepesaukee Marine Construction. In the existing Capital Reserve Fund there is approximately 19K so the recommendation is for 75K to be put into this fund. This would be a three (3) phase project with funds to be added each year. The temporary repair needs to be removed by next November. This would be the permanent solution that we have come up with. The Redi-Rock or Alan Block an example of what product would be used and footings would be installed. This would be a long term solution, this type of block has no mortar they are inter-locking and the design is made for the water, it will be filled with crushed stone in the back for drainage so there won't be the freezing and cracking that we have with the current wall. This is similar to what is currently at the beach now. There will be drains at both the high and low water marks for drainage. This would enhance the Bay with it being tied into the beach. This project does need to be bid out. If the article does approve then it would be recommended that we sit down have a meeting to discuss the particulars of the project to enhance the project as a whole. The first phase will show the indication of what the next phases will entail. The amounts per year may change from the 75K. Virgil asked Ken Roberts how the phases would be tied in together? Ken responded that they will try to cut the wall after the second turn, at the stop line they will drive well casings or something bigger, we won't be charged for these because they will be removed as the phases progress. Fabrics will be installed so there is no weeping. It is possible that from the handicap crossing across Route 28A from that point to the top there is a possibility of an ADA ramp to that point. The footprint needs to be the same. There is a marble dedication stone there that needs to be maintained. Virgil MacDonald asked if there would be a way to date the wall so that years down the line people know when this was installed. This would be a possibility and would be a great idea. Kellie noted that it is recommended that 2 to 3 trees and stumps be removed in order to get the excavator onto the property and we would be working with DOT for removal of the guardrail. One twin tree will remain at the location which is the biggest and best tree of all; others may be planted at a later date.

Cydny Johnson made a motion to recommend the 75K Warrant Article to be added to the Town Beach/Park Capital Reserve Fund and Virgil MacDonald seconded with all in favor of the motion.

Article EE-b is to establish an Expendable Trust Fund for the purpose of accepting donations and gifts; it will be called the Recreational Trail Fund and is to be used for expenditures towards Parks and Recreation improvement projects. This must be voted on by the Board due to it being a new Trust Fund with a need for the Board to vote and make the recommendation to go on the ballot. This would be overseen by the Trustees of Trust Funds. Liz Dionne verified with the DRA; there are two ways to accept funds you can either make a motion to create an account for donations and expenditures, held by the Treasurer or the Town's people vote with money going into a Capital Reserve Fund held by the Trustees with the Board of Selectmen acting as the agents. In this particular Warrant Article legal counsel recommends having it done this way.

Cydny Johnson made a motion to accept Article EE-b as written and Virgil MacDonald seconded with all in favor of the motion.

Cydny Johnson stated that the remainder of the Articles need to have a recommendation for the ballot. They can either be voted on separately or as one. The consensus of the Board was to vote them as one recommendation.

Virgil MacDonald made a motion to vote all of the recommendations at the same time and Cydney Johnson seconded with all in favor of the motion.

Fire Department 2016 Encumbrance Request; Lucas CPR

Cydny Johnson previously noted that the Chief had a family emergency; this will be heard at another meeting.

Town Administrator's Report and Updates

County Tax Rate Increase

Liz Dionne received some documents from the County in regards to the 2017 county tax rate; it will increase by 6.31% from \$1.28 to \$1.41. A copy is available in the Board's reading file.

BOS Meetings; Upcoming Holiday's

Liz Dionne inquired about changes to the upcoming January meetings; both dates fall on holidays. January 2nd we are closed for New Year's and January 16th is Civil Right's Day. These are listed in our employee manual. It was the consensus of the Board to change the meetings dates as follows:

- January 2nd to Wednesday, January 4th
- January 16th to Wednesday, January 18th (Cydney is not available)

Town Administrator's Job Description

A draft Town Administrator’s job description was provided to the Board for their review. This was tabled from the last meeting. Previously the Board has referred the Town Administrator’s duties and responsibilities as outlined in the RSA. There has never been a job description previously and the Board voiced that they don’t really believe it is necessary. Cydney Johnson stated that the duties of the Town Administrator are to follow the RSA’s; you can list anything you want but if the Town Administrator doesn’t follow the RSA’s then we are in trouble or they should be fired. Most Town Administrator’s in the State do not have a job description, some do but most don’t; it depends on what the governing body decides.

Lou LaCourse made a motion to keep the face page of the Town Administrator’s job description keeping the Date, General Position Description, Accountability, Equipment Used, Environment and under Duties and Responsibilities list the RSA that describes those duties and responsibilities, removing the rest and Virgil MacDonald seconded with all in favor of the motion.

Selectmen’s Committee Reports

Lou LaCourse met with the Zoning Board. There was only one (1) case it was a family that had a lot of record prior to 2003. In 2003 the town changed the distance from which you can build in rural lot from 10’ to 20’ from the property line. The lot was extended back by purchasing a lot behind their lot by doing so it reinitialized the lot as a new lot and makes it fall into the new regulations. A variance was granted.

Approval of Selectmen’s Minutes:

November 21, 2016

Cydney Johnson made a motion to accept the minutes of Public Session I, November 21, 2016 as written and Lou LaCourse seconded with all in favor of the motion.

Lou LaCourse made a motion to accept the minutes of Non Public Session, November 21, 2016 as written and Cydney Johnson seconded with all in favor of the motion.

Lou LaCourse made a motion to accept the minutes of Public Session II, November 21, 2016 as written and Cydney Johnson seconded with all in favor of the motion.

Approval of Consent Agenda

Lou LaCourse made a motion to accept the Consent Agenda as written and Virgil MacDonald seconded with all in favor of the motion.

1. 2016 Notification of Added Tax \$1,311.00

Techiera Paul & Mary	6 Jewitt Farm Rd	Map 33 Lot 56	\$1,311.00
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2. 2016 Abatements \$409.00

Rimbaud, Debra	23 Roger St # 7	Map 54 Lot 11-7	\$28.00
W W Jr & N Leary Trust	East Side Drive	Map 14 Lot 16-2	\$129.00
Gove Peter & Darlene	11 Elm Street	Map 65 Lot 25	\$44.00
Kee Realty Trust	67 Rand Hill Road	Map 34 Lot 33-100	\$208.00

3. 2016 Proration of Damaged Buildings-Due to fire

Bomhoff John M	13 Loon Cove Rd	Map 50 Lot 15	\$187.00
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4. 2016 Elderly Exemption-denial

Locke Elizabeth G	15 Mooney Street	Map 29 Lot 28	Denied
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5. 2016 Veteran's Tax Credit

Arsenault Ronald	223 Africa Road	Map 3 Lot 30	\$500.00
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6. 2016 Elderly Exemption-\$40,000 in value

Thomas Lorraine & Joseph	68 Swan Lake Trail	Map 11 Lot 28-2	\$40,000
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Public Input II (limited to 5 minutes per person; subject matter ~ any Governmental/Town Business)

Ray Howard approached the Board stating that the tax increase for the county is still pending; the budget has not been done yet and hasn't been voted on. Liz Dionne had received a packet today from the county commissioners. Ray Howard felt that the new jail might be a contributing factor to the increase. He also mentioned that when Jonathan Downing was presenting the Parks and Recreation annual update he mentioned a handicap ramp to the boat launch. As far as he knew you can't get a handicapped plate for a boat. Board members corrected that statement that it was for the dock beside the boat launch. Ray further stated that we don't need a ramp going halfway through the parking lot. There has to be a limit, they are great ideas and common sense and limits need to be used.

Non-Public Session:

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

Adjournment

The meeting adjourned at 7:48 PM.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary