

ALTON BOARD OF SELECTMEN

Minutes

January 23, 2019

6:00 PM

1 Monument Square

Alton, NH 03809

Approved: February 4, 2019

Vice Chairman J. Markland convened the meeting at 6:00 PM and led the assembly in the Pledge of Allegiance to the Flag and a Moment of Silence. The following staff members were present:

Cydney Shapleigh, Chairwoman - Arrived at 6:07 PM
John Markland, Vice Chairman
Virgil MacDonald, Selectman
Philip V. Wittmann, Selectman
Reuben Wentworth, Selectman
Elizabeth Dionne, Town Administrator

Agenda Approval

R. Wentworth made a motion to approve the agenda and P. Wittmann seconded with all in favor of the motion.

Announcements:

- Deliberative Session is scheduled for Tuesday, February 5, 2019, 6:00 PM at Prospect Mountain High School Auditorium with a snow date of Wednesday, February 6, 2019.

Public Input I (limited to 3 minutes per person on agenda items only)

None

Appointments:

Fred Gallant; Cemetery Relocation Discussion, 108 Suncook Valley Road

Fred Gallant approached the Board to discuss his request for relocation of graves at 108 Suncook Valley Road. He has done a lot of research and retained an attorney in Concord, as he knows nothing about the process. F. Gallant read an opinion letter from his attorney. The graves that he would like to relocate are the Stevens graves. He spoke with the previous owners of the property and they stated that they had never seen anybody visit these graves. Four (4) stones vs. six (6) stones was debated however for the purpose of this discussion it was irrelevant. A survey was done of the property and he understands that he is responsible for any costs involved. The graves are located in the middle of the property. J. Markland asked F. Gallant if he had received the letter of opinion from Attorney Sessler dated December 17, 2018; he had not. L. Dionne noted that the Board would need to vote to release the legal opinion. J. Markland noted that based upon the opinion from Attorney Sessler the information that the Board received disputes the claim; whether the grave sites were not maintained for the necessary timeframe. F. Gallant requested a copy of Attorney Sessler's opinion. It was noted that the opinion is attorney/client privileged information. At this time, Denise Gallant approached the Board stating that she does not understand what the attorney is disputing. There is indication in a letter that those graves have been maintained as early as five (5) years ago; which was potentially done by the previous owner who took care of the property but not for the purpose of maintaining the graves but the purpose of maintaining his property so it would not be overgrown. F. Gallant noted that the property is zoned commercial/residential and obviously makes a difference with graves in the middle of the property of how and what you do with the property; everything that you do to it will be done with total respect of this situation. He believes that if this is approved by Town vote you need to abide to that outcome no matter what happens. Also, a nationwide search for descendants is necessary. F. Gallant asked the Board how they feel about this situation, as it will determine how he moves forward. V. MacDonald voiced that this is where the people were put to rest and that is where they should lay. P. Wittmann voiced that the town attorney stated that we really don't have control that the State should be petitioned and read from Attorney Sessler's opinion. F. Gallant did speak with the State and was referred back to the Selectmen by the

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Attorney General's office. F. Gallant wants to do this the right way and has done a lot of research to be sure this is the case.

Cydney Shapleigh made a motion to release the letter and R. Wentworth seconded with further discussion.

R. Wentworth feels that he has a right to see the letter, one way or the other so that it is understood where the Board is coming from based on the Town Attorney's opinion. R. Wentworth stated there is another letter from a resident that might be helpful. F. Gallant to understand this better. This contains conflicting information regarding the graves being maintained within the last five (5) years.

The motion on the table was called and modified to release both letters with all in favor of the motion.

Mary will provide the information to F. Gallant.

At 6:15 PM, J. Markland turned the meeting over to C. Shapleigh.

New Business:

Town Report Cover

Four (4) covers were presented to the Board however, C. Shapleigh proposed using a different picture for the cover. Nancy Merrill had posted a photo of the new Water Bandstand in the evening; given all the work that they did she would like to propose this photo to be used, using Cover #1 fonts. M. Jarvis offered to contact N. Merrill in reference to the photo.

C. Shapleigh made a motion to use cover number one (1) using the proposed photo and J. Markland seconded with all in favor of the motion.

Town Report Dedication

A dedication was provided to the Board.

R. Wentworth made a motion to approve the dedication as presented and V. MacDonald seconded.

Further discussion: P. Wittmann asked if we have ever had a committee or a group of people instead of just one person. C. Shapleigh stated that there has been more than one (1) person acknowledged in the past. R. Wentworth stated normally the dedication is done for a passing of a resident that has contributed to the community above and beyond normal things; at times we may overlook what volunteers do for the town/community; maybe what could be done is to do a page thanking all the volunteers which would mention the certain projects that have been done for their commitment to the Town. It could be done as an inside page to the report. C. Shapleigh will be doing the State of the Town report and offered to include that in her report.

At this time, the motion on the table was called with all in favor of the motion.

Old Business:

Warrant Articles Preparation for Deliberative Session

The Warrant Articles were provide to the Board in order to make a decision as to who would move, second and speak on behalf of the Warrant Articles at the Deliberative Session. Beginning with Article #7:

- Article 7
 - Move: R. Wentworth,
 - Second: P. Wittmann,
 - Speak on Behalf: R. Wentworth

- Article 8
 - Send a letter to the Budget Committee that they need to move, second and speak on behalf of this Article, as it is their budget. C. Shapleigh would like to see this Article amended to request that money be put back into the budget. L. Dionne will make sure that she provides the necessary information to the Board for the dollar values. C. Shapleigh offered to take responsibility to submit this in writing and will work with L. Dionne.

- Article 9
 - Move: P. Wittmann
 - Second: J. Markland
 - Speak on Behalf: P. Wittmann

- Article 10
 - Move: J. Markland
 - Second: V. MacDonald
 - Speak on Behalf: J. Markland

- Article 11
 - Move: V. MacDonald
 - Second: C. Shapleigh
 - Speak on Behalf: V. MacDonald

- Article 12
 - Move: C. Shapleigh
 - Second: R. Wentworth
 - Speak on Behalf: C. Shapleigh

- Article 13
 - Move: R. Wentworth
 - Second: P Wittmann
 - Speak on Behalf: R. Wentworth

- Article 14
 - Move: P. Wittmann,
 - Second: J. Markland
 - Speak on Behalf: P. Wittmann

- Article 15
 - Move: J. Markland
 - Second: V. MacDonald
 - Speak on Behalf: J. Markland

- Article 16
 - Move: V. MacDonald
 - Second: C. Shapleigh
 - Speak on Behalf: V. MacDonald

- Article 17
 - Move: C. Shapleigh
 - Second: R. Wentworth
 - Speak on Behalf: C. Shapleigh

- Article 18
 - Move: R. Wentowrth
 - Second: P. Wittmann
 - Speak on Behalf: R. Wentworth

- Article 19
 - Move: P. Wittmann
 - Second: J. Markland
 - Speak on Behalf: P. Wittmann

- Article 20
 - Move: J. Markland
 - Second: C. Shapleigh
 - Speak on Behalf: R. Wentworth

- Article 21
 - Move: V. MacDonald
 - Second: C. Shapleigh
 - Speak on Behalf: V. MacDonald

- Article 22 through Article 36
 - Move: R. Wentworth
 - Second: C. Shapleigh

Selectmen Reports

R. Wentworth reported on the Water Commission; a meeting with J. Stone and T. Neff occurred who in turn received the minutes from the Town and the invoice. J. Stone will be setting up an account with Profile Bank. This week the Commission will be meeting with DES to go over their Audit Report, once this is done the Commission will request an appointment with the Selectmen and the Water Commission.

On another subject, R. Wentworth inquired about the removal of the dumpster at the West Alton Community Center feeling that it has been there far too long after the roof work; it should be removed.

P. Wittmann reported he had met with the Old Home Week Committee who discussed the ads, possibility of a carnival and the possibility of moving the Fire Department/Police Department baseball game over to PMHS. In addition, he met with ZAC for a Public Hearing to finish the Warrant Article. Discussion ensued regarding the baseball game and its particulars.

J. Markland had nothing to report.

V. MacDonald reported he met with the Planning Board discussing the rumble strips and the paving on Route 11 and Route 28. He requested that a letter be sent for the removal of the rumble strips however he was voted down, instead a motion was made and passed for letter to be written asking that the rumble strips be put back in.

On another subject, V. MacDonald brought forth a discussion regarding the town's website and the minutes and videos being posted on such. It was his opinion that if people want the minutes they should come in to the town and purchase them with the money going into the legal fund and feels that this should be changed; they should all be taken off the website for a while. R. Wentworth stated that this might look like we are trying to hide something. He continued he never liked them when they were on the Public Access channel because not everybody had cable and feels that it should be video recorded and put at the Library for availability then people can check them out for viewing. He has no problem with either the minutes or the videos being on the website because they would be the same on the website as they would be if they came in to obtain them. P. Wittmann asked if this was a motion; the response was yes.

V. MacDonald's motion is to remove the minutes and videos from the website, make people come in to purchase as discussed and R. Wentworth seconded for further discussion.

Further discussion: P. Wittmann concurred with R. Wentworth's thoughts. R. Wentworth clarified that the minutes should stay on the website and the video should be removed and made available at the Library. V. MacDonald still feels that the minutes should be removed. J. Markland voiced in the past he has used the online video for meetings

that he has missed so he is having a difficult time with this matter; it is more convenient to just bring it up on a computer. C. Shapleigh has concerns of punishing the public as a whole for the actions of others. There are people that are snowbirds who are voters by absentee ballot who may want to view the video. R. Wentworth suggested putting it out on the website of how many people enjoy having both the minutes and the videos available on the website to see what kind of response we get. J. Markland stated that when we talked with J. Monaco he had actual numbers of people that watch it; C. Shapleigh stated it could be the same person/people going in repeatedly to watch a certain segment of a video. C. Shapleigh would like to see the report from J. Monaco and brought back to the Board.

The motion on the table was rescinded and tabled for a future meeting.

C. Shapleigh had nothing to report.

Town Administrator Report by L. Dionne

Proposed Legislation on Rumble Strips

Representative R. Howard contacted L. Dionne in regards to proposed legislation in reference to rumble strips. This proposal was provided to the Board by Sylvia Leggett who will attend the hearing. Representative Howard invites the Board on Tuesday 1/29 at 10:00 AM in the Legislative Office Building, Room 203 to either observe and/or testify on this bill. He encouraged the Board to call him to discuss this further.

Alton Business Association (ABA)

Roger Sample stopped by; he is looking for the Town to pay up to \$500.00 for the DJ for the Winter Carnival. Apparently each year it was within the budget of the Parks and Recreation Department but due to the number of budget cuts from the Budget Committee the funds are not available; Kellie informed R. Sample which prompted this. R. Wentworth asked if this was even presented to the Budget Committee or just not put into the budget. He continued, the Town (Parks and Recreation) washed their hands of the Winter Carnival a few years ago; this is when they stated they would pay for half of the DJ as long as the Winter Carnival continued. Furthermore, he didn't remember the \$500.00 being taken out of the budget. V. MacDonald suggested that ABA do fundraisers throughout the year, R. Wentworth stated they do, naming them. Originally the Town always paid for the DJ then it went to a 50/50 split then the Town decided to back away from this and a lot of other things for various reasons. J. Markland concurred with R. Wentworth that the Budget Committee did not take the \$500.00 out of the Parks and Recreation budget but agrees that cuts were made in parts of her (Kellie Troendle) budget based upon a seven (7) year average because the funds were not used and they cut "x" amount and once those cuts were made it was up to the Director to figure out the rest of the funds for needs vs. wants. C. Shapleigh suggested tabling this until more information is available.

V. MacDonald made a motion to have the Parks and Recreation Department find this amount in their budget.

Further discussion: L. Dionne stated she does not have it in her budget; she is funding other things. R. Wentworth voiced she is funding other things that she wants to do. V. MacDonald feels that she will have a surplus at the end of the budget year. R. Wentworth will go back and look at his budgets, speak to the Budget Committee and go back to the line item and justification sheets to see if this was even budgeted for this year. L. Dionne offered to pay for this out of the 2019 budget under the unanticipated expenses line. L. Dionne is not sure what the exact cost is for the DJ due to no invoice being provided; R. Sample just stated it would be up to \$500.00.

C. Shapleigh made a motion to table this matter until the next meeting and R. Wentworth seconded with all in favor of the motion.

Water Bandstand Committee Letter

A letter from the Water Bandstand Committee was provided to the Board. There will be a water ski show during the Water Bandstand Day on June 22, 2019 from 2:30 PM to 3:30 PM. The Committee met with Marine Patrol because the show will be in a no wake zone they were told that in order for them to issue a permit for this they

would need permission of all abutting property owners. Letters were sent out to the abutters by the Committee; the Town is an abutter. The letter was previously emailed to the Board.

R. Wentworth made a motion that the Board has no problem with the water ski show and V. MacDonald seconded with all in favor of the motion.

Approval of Minutes

June 22, 2017

C. Shapleigh made a motion to approve the minutes of Non-Public Session, June 22, 2017 releasing all (#1) and J. Markland seconded with all in favor of the motion.

January 7, 2019

C. Shapleigh made a motion to approve the minutes of Public Session, January 7, 2019 as presented and J. Markland seconded with all in favor of the motion.

C. Shapleigh made a motion to approve the minutes of Non-Public Session, January 7, 2019 releasing all (1 & 2) and J. Markland seconded with all in favor of the motion.

Approval of Consent Agenda

J. Markland made a motion to approve the Consent Agenda and P. Wittmann seconded with all in favor of the motion.

1. 2018 Administrative Abatements

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|-------------------|------------------------|----------------------------|----------|
| Parsons, Margaret | Map 19 Lot 8-2 Unit 42 | 1439 Wolfeboro Highway #42 | \$109.00 |
| Barkus, Michael | Map 19 Lot 8-2 Unit 70 | 1439 Wolfeboro Highway #70 | \$750.92 |

Fire Department

- Ryan T. McQuade - Demotion from Lieutenant/EMT-A to Firefighter/EMT-A; \$17.68 to \$16.53 per hour (employee requested)
- Rebekah H. Lehouillier - Certification Change EMT-B to Firefighter/EMT-B, \$14.00 to \$14.53 per hour

Public Input II (limited to 5 minutes per person on any Governmental/Town Business)

None

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

Dalton Flannery - Hawker and Vendor Discussion

A request from Dalton Flannery for an appointment was received. R. Wentworth voiced that this is the same person who came to us last year asking for a change to the Hawker and Vendor Ordinance and if he is on State property, does he need to have a license, which is not really stated within the policy. Nothing was done other than a legal opinion and why would the Town want to reopen this when it could cause problems and there were problems in the past which is why the vendors were not allowed to continue to conduct business in parking spots. R. Wentworth wondered how Wolfeboro handles this type of situation. Pros and cons were discussed. C. Shapleigh would like to see the Ordinance and revisit the legal opinion as to why this was previously stopped before scheduling Mr. Flannery's appointment.

Non-Public Session:

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

R. Wentworth, yes
P. Wittmann, yes
V. MacDonald, yes
J. Markland, yes
C. Shapleigh, yes

R. Wentworth moved at 7:36pm to exit nonpublic session. P. Wittmann seconded. Roll call vote:

| | |
|--------------------|-------------------------------------|
| C. Shapleigh - yes | J. Markland - yes |
| V. MacDonald - yes | R. Wentworth - yes |
| P. Wittmann - yes | Roll call vote carried unanimously. |

Chair Shapleigh reconvened open session at 7:36pm.

C. Shapleigh moved to seal item #1 because the divulgence of this information likely would render a proposed action ineffective; and to release item #2. Motion seconded by J. Markland. Roll call vote:

| | |
|--------------------|-------------------------------------|
| C. Shapleigh - yes | J. Markland - yes |
| V. MacDonald - yes | R. Wentworth - yes |
| P. Wittmann - yes | Roll call vote carried unanimously. |

R. Wentworth moved at 7:38pm to adjourn. Motion seconded by J. Markland. Motion carried.

Respectfully submitted,

Mary K. Jarvis

Mary K. Jarvis
Recording Secretary