

ALTON BOARD OF SELECTMEN

Minutes

Public Session I

June 20, 2016

6:00 PM

1 Monument Square

Alton, NH 03809

Approved: July 18, 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
Philip V. Wittmann, Selectman
Virgil MacDonald, Selectman
John Markland, Selectman
Elizabeth Dionne, Town Administrator

Lou LaCourse, Vice Chairman was absent.

John Markland made a motion to approve the agenda as presented and Phil Wittmann seconded with all in favor of the motion.

Appointments:

- Tom Varney, Varney Engineering; Map 50, Lot 16,

A wetlands permit was applied for on behalf of Mark Leslie, 1 Farmington Road. He is putting a granite boarder around his two (2) beaches; improving them to cut down on the erosion. If it is within 20' of an abutter, then it requires written permission of such; the town owns a 7' strip of land abutting his property.

Cydney Johnson made a motion to approve as an abutter the improvements to be made to the beaches for Map 50 Lot 16 as presented and John Markland seconded with all in favor of the motion.

- Joseph Gray - Linwood Drive Concerns

Mr. Gray recently had some interaction with the Highway Department. He is concerned with communications. There was an area on the road that was damaged which has since been fixed. The Highway Department was notified back in March however after three (3) months it still was not done so I decided to notify the Town Administrator; it was done the next day! His biggest concern is "he wondered if a resident submits something does it really get seen by the

people that are supposed to be seen by and how do you get action on it, if that is the case". Liz Dionne reiterated that communications will be done better. Unfortunately, this came in at a time of transition. It was also noted that during the timeframe that this request came in it was not possible for paving to be done to the roadway due to weather conditions.

- Rosemarie & William Chatman ~ Dudley Road, Involuntary Merged Lot

The Chatman's approached the Board to ask that their two (2) lots on Dudley Road be unmerged. One lot was purchased in 1968, the other in 1970. Several years later they were merged together. At the time they spoke with the Tax Collector and were told that it would not affect the sale of the lot. There are separate deeds for the lots. The town merged the lots years ago due to them being in the same ownership and this was done just for taxing purposes.

Liz Dionne provided some background information for the Board. Back in the 60's and 70's in the State of NH, Municipalities were allowed by RSA to merge lots of the same ownership without notifying the owners. There is currently a State Law that allows people to come forward to request that the lots be put back to their original status as long as it was done by the government and not by the property owners request. In this particular case, it was not done by the property owner it was done by the government. Liz recommends that the Board grant approval, as the governing body for the lots go back to their original status, as two (2) separate lots. The State Law was provided to the Board. There is a bill currently before legislature to extend the deadline for the unmerging of the lots for another 5/6 years.

Virgil MacDonald made a motion to allow the lots to be put back to their original status; Map 4 Lot 28, 321 Dudley Road and Phil Wittmann seconded with all in favor of the motion.

Announcements:

- Town Offices are closed on Monday, July 4th in honor of Independence Day.
- The Fireworks display is scheduled for Sunday, July 3rd at 9:20 PM with a rain date of Friday, July 8th at 9:20 PM.

Selectmen's Committee Report

Phil Wittmann reported that the Old Home Week Committee had met on June 7th and discussed the numerous events that will be part of the Old Home Week Events.

Town Administrator's Report and Updates

July 4th Board Meeting ~ Need to Reschedule

The next scheduled Board meeting is on July 4th and will need to be rescheduled due to the holiday. It was the consensus of the Board to meet on Wednesday, July 6th.

Budget Committee Letter

A letter was received from the Budget Committee to the Board of Selectmen in regards to the upcoming budget season. Virgil MacDonald doesn't think there is a need for this to be done; it is his belief that the Board's do a pretty good job with their budget requests, cutting them where they need to be cut. He suggested possibly bringing Roger in to discuss the request. John Markland was called upon as the representative to the Budget Committee. John noted that he voted against the letter. Speaking as a former Department Head cutting a budget can be done but it would give the insinuation to some people that the budget might be "foofed". The committee has different views on the issue. If the Board wants honor the request it can be approached again during the budget meeting discussions. He further believes that if there were to be cuts made they would prefer to allow the Department Heads to give them the information. The process was explained to the committee.

Liz mentioned that this will be brought back in July as she will need to get some direction from the Board to give to the Department Heads for the creation of their budget. The letter indicates that the Budget Committee wants their requested budget and another with a 5% reduction.

Draft Excavation Regulations

A first draft of the excavation regulations from the Town Planner and the Planning Board was provided to the Board with her recommendations. The regulations are currently in place; this is a proposal to amend them. This is a lengthy document and it is for the Board's review for discussion at a later time. Nic Strong has gone through the entire document to clean it up and has done an amazing job in a very short amount of time.

Public Input I

Jeffrey Clay approached the Board stating that he would be focusing on Non Public Sessions. In his opinion the Board is breaking the law regarding Non Public Sessions with a complete unwillingness to adhere to the law. He further voiced that Cydney Johnson should not be Chair any longer and that the Town Administrator should also be held accountable and should be helping the Board stay on track. Mr. Clay referred to specifics of the May 6th Non Public Session items. The point he was trying to make was that the Board has broken the law by not abiding to it. You have broken the spirit and intent of the law for specific reasons. He intends to speak at the next Public Session.

Sophia Leggett questioned if the rumble strips would be discussed under Old Business if there would be public input after that? Cydney Johnson responded "yes".

Approval of Selectmen's Minutes

June 6, 2016

John Markland made a motion to approve the minutes of Public Session I, June 6, 2016 as written and Phil Wittmann seconded. The vote was 3 approved, 1 abstention; Virgil MacDonald.

John Markland made a motion to approve the minutes of Non Public Session, June 6, 2016 as written opening #1, 2 & 3 and Phil Wittmann seconded. The vote was 3 approved, 1 abstention; Virgil MacDonald.

John Markland made a motion to approve the minutes of Public Session II, June 6, 2016 as written and Cydney Johnson seconded. The vote was 3 approved, 1 abstention; Virgil MacDonald.

Old Business:

Rumble Strips; Route 28

Police Chief Ryan Heath was called to the table to discuss the rumble strips. His department has received several complaints from residents regarding the rumble strips noting that this was as much of a surprise to him as everyone else; several of these calls indicated that this was approved by the Police Department along with other agencies; this was news to the Police Department as well as all the other departments, we did not authorize this work nor do we have the authority to do so. DOT admitted that they failed to notify the Town. The only notification that was received was a letter dated April, 2015 which was sent to the Town, cc'd to various DOT Representatives however it was not cc'd to anyone else within the town. The letter referred to the upcoming rumble strip project throughout the State with some areas of Route 28 and might be worked on in the coming years. This was a complete broad statement, not specifying when or where they would be doing the work and how the town would be affected. The regulations were attached to the letter which specifically states that a "public informational meeting will be held within the affected communities"; this was not followed. All of this information was reiterated to DOT; Ron Grandmaison personally came out to meet with the Police Department. In the southern parts of the State they held the meetings and as a result of those meetings they decided to discontinue the public informational meetings due to the lack of interest from those communities that were affected. They were relying on phone calls to be made to Town Officials. Alton did not receive any calls and were not notified. Concerns were voiced and their guidelines were clearly not followed specifically that this would not take place in any area or corridor with a speed limit less than 40mph; the entire length of Route 28 from the High School to the circle was striped which has a speed limit of 25/35mph and there are not supposed to be any rumble strips with 6' shoulders or wider; 28 South does not comply with a 2' shoulder, at best however 28 North does conform with their standards to a degree. There is some question as

to the resident in the area and the aggressiveness of the rumble strips. The design, depth and the space is very aggressive and a lot louder than in the tradition ones that have been seen previously. DOT voiced that the team that they had do this project study believed that this was the best design to prevent lane crossing crashes or vehicles exiting the roadway either left of right of the fog line. Route 28 North in the “flats” has had some serious crashes and fatalities as a result of center line crashes in that specific area. Word was received via email which was provided to the Board, from DOT; they have agreed to mill and fill the rumble strips from Stockbridge Corner to the circle (it is believed to be from Hamwoods, needs to be clarified), they are only on the center line at this point. It is evident that the sub-contractors did not follow their standards and the work is contradictory to their guidelines. The State is willing to work and make things right and there will need to be a letter or some authority coming from the Board if the choice is to move forward to have them removed. There will be a need to discuss this further for the remaining rumble strips as well for final resolution throughout the Town. One of the biggest concerns is the noise level. The design of the fog line has been changed running directly on the white line traditionally it was an offset of the fog line into the breakdown lane. This was changed due to the statewide Bicyclist Association that lobbied, they felt it was impeding their right to ride bicycles next to the road which is why it was pushed to directly on the fog line. The Roberts Knoll Campground is hosting a public forum Wednesday night at 7:00 PM, letters have been sent to the Governor and Executive Councilor Kenney, the State Representatives have been notified and invited to attend. Ronald Grandmaison and his Assistant Commissioner will be in attendance as well at the meeting. This is more of a State issue than a Town issue so the need to lobby at the state level for the change to happen. DOT is willing to make good on the areas that were rumbled that should not have been due to the lack of following their own guidelines. They may be going after the sub-contractors in regards to funding. In the area of Route 28 North they are currently standing by new rumble strip project guidelines. It was suggested to fill at least the fog lines and concentrate on the center line; they have taken it under advisement but there is no confirmation whether they will work on that area or not.

John Markland stands corrected from the question posed to him at the last meeting regarding him hearing the noise. He has heard the noise and it is loud and sitting back off the road he can only imagine what the residents that sit right on Route 28 hear! He commented and wondered why the new paved area in Barnstead does not have the rumble. The response was it does not have the required 6’ shoulders. He also questioned the stats of the center line encroachment accidents, how many were related to the issue at hand; a lot of them were otherwise and possibly a rumble strip would not be the solution.

A big mistake was made by not informing the public in Alton; this Town will come together, show up and will speak and participate. DOT has now instituted an entire page on their website to the rumble strip project due to complaints that have come before them.

Cydney Johnson voiced that she has particularly seen rumble strips on major highways but they area now appearing onto the lesser traveled roads. She questioned if they normally have signage to warn people. Chief Heath was not aware of these signs. Cydney further questioned if there would be concerns for motorcycles. Officer Sean Sullivan who is and has been the

Police motorcycle instructor for at least 15/16 years has tested the strips. In his opinion they are aggressive, the major issue would be the level of the rider, dependent on their training and/or experience.

Cydney Johnson questioned Chief Heath on having an answer on corrective action to the matter? It was his belief and impression that they are ready to move on Route 28 because they have no ground to stand on with the contradiction of their regulations; if the Town wants it done they will do it. As far as Route 28 North, DOT will be meeting Wednesday and will be addressing the concerns in that section of the highway and what, if they will be taking any remedies as that section meets the physical guidelines of their regulations. The regulations state how deep the cuts are supposed to be; they do vary and are very deep.

Virgil MacDonald questioned if Route 28 North was a considered a limited access roadway; it was believed to be.

Most of the points discussed were agreed upon between DOT and the Police Chief except the area of Route 28 North stretch past the “flats” area.

Chief Heath will follow up after Wednesday night’s meeting and will forward any communications and feedback with Liz. He would recommend sending a letter voicing the Board’s concerns.

At this time, it was the consensus of the Board to open Public Input for only the Rumble Strip issue.

The following resident and property owners addressed the Board voicing their concerns:

- Sylvia Leggett, 76 Gilman Corner Road and owner of Roberts Knoll Campground, 1439 Wolfeboro Highway
- Lael Paulson, 401 Drew Hill Road
- Robin Lane, 637 Suncook Valley Road
- Ritchie Lane, 653 Suncook Valley Road
- Ron Stevens, 25 Abendego Road
- Daniel Steele, MD, 376 Suncook Valley Road
- Joseph MacDonald, 112 Lily Pond Road
- Desmond Douglas, 637 Suncook Valley Road
- Jeffrey Clay, 53 Mallard Drive
- Earl Guyette, 342 Suncook Valley Road

Various issues of discontent were voiced which included lack of notification and return phone calls, amazing and horrific noise levels, the striping and placement of the fog lines and the center lines in the same area, lack of adhering to the State guidelines, the change of guidelines in 2015, intersecting roads, depth and placements of the cuts in the various areas, impact on real estate values, the footage of turning with the cut placements (150’ and 300’ placements), DOT Website, Federal and State guidelines, Petition with 77 signatures, the ill

effect on both children and animals, the potential to cause excessive damage and wear and tear to vehicles, bicyclists, motorcyclists, sleep disruption and overall quality of life in a peaceful rural community, potential violation of the Town's Noise Ordinance (2006) and the overall unreasonableness and concerns due to the rumble strip project, to name a few. It was voiced that now is the perfect opportunity to take immediate action and send a letter to DOT in order for the State to adhere and comply to the established laws and regulations and the Town Ordinance.

John Markland made a motion to send a communication regarding the email from Ronald Grandmaison where DOT is agreeing to make corrections sent to Executive Councilor Joseph Kenney requesting a timetable for the corrective measures to be taken. Virgil MacDonald would like to see it go to Ronald Grandmaison as well asking that the rumble strips be removed as soon as possible.

Further discussion: Cydney Johnson would like to have some dialog with the State DOT, inviting them to an upcoming meeting to explain which places will be corrected. We can argue with the various information that we have with regular updates on the agendas. A concern is if a letter is sent, we don't want this to get lost in the shuffle. If we add a date for response in the letter, cc'ing our Representatives. The motion was seconded with all in favor of the motion.

The motion was clarified: send the State a letter requesting a meeting to review exactly how they are going to fix this issue and what the timeframe would be.

Cemetery Department Forms - Motion needed for any BOS member to sign

There are three (3) more Cemetery forms that need to have a motion for any Board member to sign.

1. Right to Inter Buy Back Form
2. Corrected Right to Inter
3. Lot/Niche Sales Form

John Markland made a motion when a "Right to Inter Buy Back" form, "Corrected Right to Inter" form or a "Lot/Niche Sales" form Cemetery document needs a Selectmen's signature that any available Selectman be approved to sign such routine document at the time it is needed. A copy of any document signed under authority of this motion shall be provided to the Board at the next scheduled public meeting. This authority shall not apply to expenditure of funds or sale of property and Cydney Johnson seconded with all in favor of the motion.

New Business:

Land Use Items as recommended by the Tax Assessor

John Markland made a motion to approve the 2016 Administrative Abatements for Map 34 Lot 33-189 #2; Map 34 Lot 33-190 #22 and Map 34 Lot 33-187 #15 for a total amount of \$130.00 and Virgil MacDonald seconded with all in favor of the motion.

John Markland made a motion to approve the 2016 Land Use Change Tax for Map 2 Lot 23 for \$9,000.00 and Virgil MacDonald seconded with all in favor of the motion.

The 2016-2017 Timber Intents to Cut are for informational purposes only; no vote is necessary.

Surplus Items ~ Motion needed to sell or dispose of items

A list of surplus items was provided to the Board to either be put up for sale or to be disposed. There is another list of items that the different departments will be taking. Virgil MacDonald voiced concerns of the need/use of these items. Cydney Johnson noted that in the past the items were either put out for a sealed bid or put up for sale. The Town Administrator is looking for direction or permission from the Board.

Virgil MacDonald made a motion to put the surplus items out for a sealed bid and Phil Wittmann seconded with all in favor of the motion.

Special Event Application ~ OHWC; ABA, Old Home Week Parade

Virgil MacDonald made a motion to allow the Old Home Week Parade Event Permit for the Alton Business Association for August 13, 2016 and Phil Wittmann seconded with all in favor of the motion.

Special Event Application ~ OHWC; Alton Centennial Rotary, Paint a Pig Exhibit

Cydney Johnson made a motion to allow the Old Home Week Event Permit for the Alton Centennial Rotary, Paint a Pig Exhibit for August 20, 2016 and Virgil MacDonald seconded with all in favor of the motion.

Special Event Application ~ OHWC; Alton Community Youth Activities

John Markland made a motion to accept the Old Home Week Event Permit for the Alton Community Youth Activities (CYA) Dog Show for August 11, 2016 and Virgil MacDonald seconded with all in favor of the motion.

Public Input II

Jeffrey Clay approached the Board voicing his opinion in reference to the Police Chief being present at tonight's meeting; it is a waste of expense and an endangerment to the community. The newspaper reported that there were 336 police calls. Mr. Clay then referred to Virgil MacDonald as a reasonable person with common sense, then stated that perhaps he should serve as the Chair. His feeling is that the Police are present strictly for intimidation as a misuse of public resources. He further stated that the Board is trying to circumvent the spirit and intent of the Right to Know Law by holding Workshops. He then voiced concerns of Public Session II and that he would wait here tonight until the Non Public Session was over to return to see what transpires. Mr. Clay stated that the public is being deceived with no filming and no minute taker. He will attend the next Workshop on Wednesday and he will videotape it and he will put it on U-tube.

Cydney Johnson made a motion to enter into non-public session pursuant to RSA 91-A:

Virgil MacDonald requested holding off on the Non Public as he wanted to discuss a few Old Business Items.

1. Community Center in West Alton ~ His thought was that the Board needs to take a look at the roof with the tarp; it appears that it needs to be roofed before winter.
2. Water Department Budget ~ He had run into Dick Quindley; he wants to come in early with the Water Department's Budget, they might go over but he is not sure and would like to come in to be on the agenda to explain the circumstances. This won't be for another month or so.
3. Fire Hose ~ He wants to give the fire hose to the Parks and Recreation Department for the docks down in the Bay. This item was spoken about at the last meeting; it was not recommended due to the fasteners potentially scratching the boats. The Town Administrator spoke with Kellie Troendle after the last meeting and was told that everything is fine and taken care of at the public docks.

Non-Public Session:

Cydney Johnson made a motion to enter into non-public session pursuant to RSA 91-A:3, II (b) 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