

Monday, April 29, 2024 6:30 PM
Regular Session
Dalton Select Board Meeting

Meeting called to order at 6:30 pm by Eric. Select Board members Jo Beth Dudley, Thomas Dubreuil (Tom), and Eric Moore were physically present. Town Admin, Jeanette Charon present and note taking.

Public attendees: Terri Parks, Brian Parks, Vic St. Cyr, Jay Ennis, Kris Ennis, Pam Kathan, Kurt Hall, Tom Arrison, Mike Ryan, Carol Sheltry, Mark Jacobs, George Bell, and videographer Emily Thompson as well as others who chose not to sign in and could not be identified.

The Board signed payroll and AP checks.

The Board executed a trust fund reimbursement request for fire department equipment purchased (refurbished defibrillator), one intent to excavate, two gravel tax warrants, two timber yield tax warrants, and the first quarter sewer tax warrant.

The Board was presented with the E911 letter provided by Cathleen Fountain for the broadband work being completed via the state's broadband initiative grant. Jo Beth motioned to execute the letter discussed during the 4/1/24 meeting. Eric proposed delaying execution of the letter as he was told there may be a franchise agreement with Spectrum. Jeanette informed Eric there was no company tied to this letter. The purpose is to provide authorization for the state to release Dalton's 911 addresses to the broadband committee so that we can ensure all homes in Dalton are accounted for in this grant funded project. Tom suggested we wait to execute the letter. After further discussion, Eric provided a second to execute the letter. Jo Beth and Eric voted to execute the letter; Tom voted Nay.

The Board was provided with the bank reconciliations for February. Jeanette also provided a fund account trial balance report for the same period. Tom asked what a trial balance report was. Jeanette explained to him that it's a report showing the expenditures for a given period of time, per account.

The Board reviewed and approved meeting minutes from our April 15, 2024 select board meeting. Jo Beth motioned to approve the minutes; Eric provided a second with approval via roll call.

The Board reviewed and approved nonpublic meeting minutes regarding #1 personnel and #2 and #3 regarding legal from April 15, 2024. Eric motioned to approve the minutes; Jo Beth provided a second with approval via roll call.

The only broadband update was regarding the postcards to be sent to each home/business in Dalton. Jeanette conversed with Cathleen Fountain regarding these and the cost was higher than the Board approved. We came up with an alternative process, but Jeanette wasn't sure if she had completed that task or not.

The asbestos abatement work is in progress with flooring installation to follow shortly thereafter. The next couple days will have final cleaning and air testing completed. The floors should air dry for about a week. Eric and Tom asked about information on paperwork. Jeanette will provide.

Jeanette forwarded the information for the NH Retirement System (NHRS) via email on April 17, for board review and discussion at this meeting. Tom met individually with financial advisor, Brian Thompson, regarding 401k plans on Tuesday, April 23, 2024. Tom stated Brian had some good ideas and we should have him. Tom believes this to be a better option for the town because it won't lock us in like state retirement will. The state retirement information Jeanette had forwarded was not discussed. Jo

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Beth asked why Tom didn't make alternate proposals last summer when we started talking about offering employees State Retirement benefits. It's his opinion that raises and retirement were never discussed amongst the board. Jo Beth reminded him that all these items were discussed multiple times during the year, especially during budget proposal development prior to the budget hearing and at the budget hearing as well as town meeting. She reminded him we are talking about retirement right now and not raises or the budget. Tom wants to have this guy come in and talk about the option. He stated normally we are supposed to have 2 or 3 people to come in and give us bids and we never do that. Jo Beth reminded him that we are not required to get three bids and Jeanette works diligently to get multiple companies to provide quotes. Sometimes it's very difficult to get multiple quotes. Jeanette asked for information from the meeting Tom had with Brian. Tom confirmed it's just word of mouth and he's not going to be held to what he says when he has a hard time remembering the details so we should just invite Brian to come here to speak. He stated that Brian is with our bank, Passumpsic. Jo Beth voiced concern over our bank handling employees' investments when there are a lot of financial advisors out there. Jo Beth asked Tom if he was aware of the RSA's pertaining to town retirement plans, and had confirmed that Passumpsic Bank complies, and Tom stated he was not. Jo Beth reminded the Board that previous employees left the town's employment or rejected town employment offers because of the lack of participation in the state retirement system. Eric stated he didn't believe one employee left because of that reason; Jeanette stated we have no choice but to believe what employees tell us when they depart. Tom stated we should have another financial advisor come in to speak; he has no problem with that. Tom stated he is looking at transparency here and with the budget, it's very difficult to understand or even know what's really in that. If there is a way to save the town money, then we should do that. We need to start working on the budget with each department with expenditures, etc., and with allotments and such. He thinks that he stated he was dyslexic previously and he needs time to read through things and process them. Jo Beth answered to confirm we specifically talked about the State retirement participation and the cost. Tom motioned to have Passumpsic attend a meeting for the 401k information presentation. Eric provided a second. Jo Beth voted nay and stated that state retirement has already been approved by the board. Jeanette will coordinate meeting with the Board.

A Building Committee meeting update was provided. Jeanette ordered the door for the boiler room. The police entry grate will be done later once weather warms up. Jeanette has information on metal recyclers and will be calling them. Eric has not yet gotten a price from Wayne Lambert about removing the axles and landing gear from our semi-trailer. Jeanette will work with Adam to obtain a quote from Wayne. Jeanette has glass companies coming to look at the broken window seals and plastic pieces to provide pricing. Jeanette also mentioned we have volunteers who would like to clean and pressure wash the moss and dark stains off the exterior of the building. It was proposed using a plant based cleaner and a pressure washer set at a low PSI so the bricks are not damaged. Tom asked if there was going to be a sealer applied after the cleaning. The exterior is in need to tuckpointing which was not discussed at this time. Sealing can't happen until it's tuckpointed. Jeanette will obtain pricing from tuck pointers so we can possibly get that and sealing done this year. The board agreed pressure washing would be a good idea. Jo Beth motioned for pressure washing. Eric second with approval via roll call. Cost should remain under Jeanette's \$300 per project threshold set last year.

Jay Ennis had presented revised toilet partition quotes for the bathrooms to the building committee; Jeanette presented the information to the board. The stalls will be slightly reconfigured to better suite adult use. No plumbing rerouting will be necessary. The color chosen for partitions is Desert Tan. The

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committee also proposed replacing five (5) toilets with low-flow models that are adult-sized (tall) in addition to new toilet paper dispensers. Volunteers will paint the bathrooms (chosen color is Almond) and the flooring contractor will complete flooring installation. The Board approved a budget of \$4500 for the bathroom work including toilet replacement, volunteer labor being provided by residents. Eric motioned for approval with a second provided by Jo Beth. Final approval via roll call vote. Jeanette noted the Board could use Capital Reserve Funds, and Jo Beth said we can also wait until later in the year to see if we need to do that based on budget expenditures.

Lastly, the exterior lights at the entryway need to have a new sensor installed or fixtures replaced to accommodate a dawn/dusk functionality. Jay Ennis stated the cost would likely be the same to replace the sensor or the actual fixtures. Jeanette confirmed there are two lights right outside the door and one in the peak. This work would provide for better lighting to help promote safety and security. Jo Beth motioned for the work to be completed at an approximate \$500 budget. Eric provided a second with approval via roll call.

Jeanette provided the response from our attorney regarding the Dalton Picnic Area agreement with Donna Madonna, property owner. There are two options: the landowner may either grant a Permanent Easement; or grant a License for use (essentially the same as an easement, but can be terminated). The Board liked either option. Tom motioned to approach the landowner to ask her which option she prefers. Eric provided a second with approval via roll call vote. Jeanette will discuss the options with the property owner and then provide information to our attorney so the agreement can be drawn up for execution by all parties.

Dalton has not yet secured a new assessor for 2024 and beyond. Jeanette informed the Board that there really is no licensing or certification required through OPLC for assessing. After speaking with the DRA, it was confirmed that once they no longer handled the licensing process, OPLC didn't institute guidance for that profession. Jo Beth confirmed there is a shortage of assessors and we should proceed with contracting one for services now. Tom asked to get the resume for the proposed assessor; Jeanette confirmed she would forward it to the Board. David has been licensed through the state of Vermont since 1991 and is currently on DRA's approved assessor list. Tax bills will need to be generated soon so we need to make a decision and get someone in place so there isn't a delay on that process. Tom asked if this would affect tax bills going out and Jeanette reiterated, yes. There are updates that need to be made by the assessor, and that Jeanette cannot legally make. Jo Beth motioned to move forward with this company who quoted us at a similar rate as Brett Purvis & Associates. Eric provided a second with approval via roll call. Vic St. Cyr asked if this company would represent us at BTLA if a case came up. Jeanette noted that nothing is currently pending. She will verify that the new assessor firm will represent the town before BTLA if necessary.

Jeanette asked for comments and or feedback regarding the audit provided by Veroff CPA. Tom asked why we have so many audits when it should only be one per year. Jeanette explained that we have one financial audit per year, and this is the one we are currently discussing. The others he's mentioned are different audits. She explained the DRA audit, of assessing records, is a different audit. There could also be a tax audit from DRA and a Clerk audit from the state. No one had any comments regarding the financial audit except for Eric who stated it was difficult to try to understand where the funds were spent. Jeanette and Jo Beth stated that it's more of a high-level review of the town's financial health and not a detail transaction-based review. Tom asked again about the files uploaded to the CPA's secure

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portal. Jeanette reminded him that those files were just reports that recap all the individual things that the Board reviews and signs during the year. He doesn't have access to the information because it's a secure portal for the town to upload files for the use of the auditor while completing the audit. Jo Beth motioned for the Board to execute the management letter and to accept the 2023 audit. Eric provided a second with approval via roll call.

Jeanette presented the MS-535 needing signature by the board members. Jeanette explained that this document shows the income and expenditures per account (per DRA's categories) and is a better tool (compared to the audited financial statement) to see how funds are expended. Jeanette explained this document is completed by our CPA in DRA's portal and reflects the audit that the board just voted to approve. This is formal recognition of the Board's approval and is required by DRA. Eric motioned to sign the MS-535. Jo Beth provided a second with approval via roll call.

No transfer station update was provided by Tom. Tom stated it'd be a good idea to help Kyle out and get another box in there for storage. Michael Carrier mentioned during the building committee meeting that the state may have discounted boxes available through NRRRA, as mentioned at a construction debris workshop, he attended in Lancaster. Jo Beth asked if they should set a dollar threshold to purchase the box. Tom stated he wants to hear the price first.

The cost of the household hazardous waste program was discussed. The town needs to decide if they will limit residents on the number of units they can dispose free of charge. Jeanette reviewed the costs with the board per unit (\$31.50 for the first and \$45 for each additional unit). A unit is 5 gallons or 20 lbs. of waste. Dalton will have a representative from Dalton at the event to identify Dalton residents, possibly with their vehicle registration, since it shows a mailing and legal address. Tom asked how big the box trailer was and he stated we need to figure out how much they can take total. Jeanette noted that's not our issue as we're participating in Lancaster's hazardous waste program. We just need to determine what we want to do with our residents and not for the total event combined with Lancaster. Carol Sheltry asked what other towns do for limits. Jeanette stated there was no limit in some towns and other towns that have a two-unit limit. Since we've not had a hazardous waste disposal program in a very long time, it's hard to know what the response is going to be. We don't want people to just dump the hazardous items illegally. After discussion, it was determined that Jeanette will reach out to Lancaster for the cost structure for their residents and then the Select Board may decide to be consistent with Lancaster's policy.

Jeanette sent out the Select Board Rules of Procedure in March. It's not come up for discussion so she's kept it on the agenda. It remains undiscussed.

The Highway Equipment Operator job was posted in local newspapers per the direction of the Board. No applicants have been received. Jeanette suggested posting the position with Indeed online at no cost to the town. Eric motioned for the job posting to be placed on Indeed. Jo Beth provided a second with approval via roll call.

Conflicts of Interest was kept on the agenda per Tom's request from our previous meeting. Tom had nothing to add during this meeting.

Eric motioned to table the Solar Energy Grant until next year. Jo Beth asked why. Eric stated that's what he wants to do. Jo Beth stated that the timing of a grant proposal submission will depend on the

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deadline in the grant RFP, which is still pending. Tom stated he didn't see the value in it. He'd like to see the budget that we've been talking about. Eric stated there hasn't been any activity on it since he's been onboard so why keep it on the agenda? Jo Beth and Jeanette again explained that we are waiting for the NH Dept. of Energy to release the RFP for people to apply for the solar panels grant. Eric stated there is no way to put Solar Panels on the highway garage because it's just strapping and metal, there's no plywood or anything. Jeanette asked about structural steel. Eric claimed there was none. Jeanette asked what's holding up the roof of the highway garage; Eric responded just rafters. There was a previous evaluation of potential sites, and the Board previously discussed doing a full structural assessment prior to installation, and possibly as a requirement for the grant proposal. Solar panels can also be installed on the ground. Eric stated that the ground is twice the money. Jo Beth mentioned the fire station as an option as well. Tom stated that you have to spend out, and then you have to pay for the upkeep and then you have to pay to replace. He also stated that panels have been reported to start on fire when they're on a roof. Jo Beth stated she hasn't heard any reports of a fire risk and he may be thinking of lithium batteries, but we aren't talking about batteries.

Jay Ennis asked if the position of the board was to pass up an opportunity to save on the town's electric bills. Respectfully, Jay Ennis told Tom that his position has always been to know the details before making a decision. That is his take on every issue. Tom went on about the budget and knowing what's in the bank asking if people just spend money without knowing what's in the bank. Jay intervened stating that this isn't about spending money; this is about taking advantage of grant funds that may be available to help us. Tom stated the town has to put out \$100k to start with. Pam Kathan asked about the cost effectiveness of solar. Jo Beth stated that was presented last year and that she didn't have the specific figures with her. There was further discussion by Pam Kathan and Vic St Cyr with questions and random comments about the grant program. The programs were discussed in detail in previous Select Board meetings. Jeanette will provide a copy of the cost/grant information to the Chair and to Pam. Eric stated that we will keep that on the table. Jo Beth confirmed it's just a placeholder on the agenda.

Jeanette confirmed that the cyber-security grant work is done at the pumping station. It was awarded; work is completed and she has submitted for reimbursement.

Tom asked about the truck order. Jeanette apologized for not sending that previously. She will send it to him. Eric asked for the sewer grant so he can understand it a little better. Jeanette confirmed.

Eric proposed a new laptop for the planning board. Terri Parks and Kris Ennis provided details and requirements. Eric motioned to have Jeanette get a laptop for the planning board with the basic applications and ready for zoom meetings with internet connectivity. Jo Beth second with approval via roll call.

We have had residents mention it would be nice to watch the select board meetings via zoom if they're unable to attend. The board did this previously during Covid. Jeanette stated that the board could allow online participants to watch and listen, but it would be difficult to monitor the computer for questions so that they could also participate with comments or questions. Eric tabled the idea for now.

Terri Parks was present and asked for board approval to run a public notice in the newspapers for cemetery cleanup prior to Memorial Day flag placement. Ads to run in the Democrat, Courier and the Caledonian. Eric motioned with a second provided by Jo Beth. Approval via roll call.

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We need to secure the mowing contract for this year. Jo Beth motioned to reach out to Nelson to see if they will mow for us again this year. Eric provided a second with approval via roll call. Brian Parks stated he can reach out to John at Nelson on behalf of the Town. Pam Kathan asked if we are getting bids. Brian confirmed we used to do that but we had inexperienced mowers come out and they ended up damaging stones, which is a bigger problem.

Eric passed out a "Proposed Protocols Regarding Safety and Liability For the Town of Dalton" document and immediately motioned to move forward with the guidelines, without any discussion. Tom immediately provided a second, without discussion. Jo Beth and Jeanette reviewed the document. Jo Beth stated she was still reading the document and stated she doesn't believe this is appropriate in its entirety. Many of these things listed should be done in meetings. Jeanette stated that acting individually is not appropriate. Eric stated it goes to all three members. Jeanette states that according to the document, the contact is Eric. Pam states that he's the chair. Again, Eric calls for a vote. Jo Beth states that Select Board members should not have keys for the fire station, or the transfer station or the garage. The Old Town Building is leased, so the Board doesn't have access to that building. In terms of receiving applications for employment, we have a town administrator who was hired to do that. She collects the resumes and sends them to the department head. The board then reviews them and discusses them in a meeting, where it should be done. Jeanette thinks this document may violate some RSA's. She asks to table it to the next meeting to confirm these are legal requirements.

Tom asked why the right to know request wasn't sent to the board for discussion. Jeanette stated they don't get board discussion. The administrator or town clerk gets the RTK and we are required to respond within five days, and Tom is in violation of the RSA by not responding. He claims that is not true. He states that you have to give time and stuff was taken off his email instead of giving him time. Jeanette stated she did not, our IT consultant did. Jeanette doesn't have access to Tom's email. Tom also stated that he doesn't have to provide his personal phone recordings of the select board meetings because they're for his own personal use. Jeanette stated that as a select board member it becomes part of the meeting record. Jeanette stated she could reach out and ask NHMA. Tom replied that he didn't ask her to reach out. Jeanette wasn't asking for permission; she's just doing her job. Jo Beth understands that if the Select Board makes a recording of the meeting, it is subject to public access under RTK. Tom read out from **Knowing our Territory** that if these notes or recordings are for private use, they are not discoverable under the RSA. He again states he is not in violation. Jeanette states he has to respond so that she can reply to Mr. Fountain. He would like to see the RTK request that came in. Tom received the emailed request. Tom insisted the requester had to sign it. Jeanette disagreed. Jeanette again asked for Tom to provide her with his response to the RTK, so she can respond to Mr. Fountain who made the request. Tom stated that she will get it.

Tom continued to state that there is a lot more going on here, and that Jeanette is just trying to piss him off so that it's a hostile environment. She's trying everything to get him to quit and it's not going to happen. Jeanette explained that she's just trying to do her job. Tom states he is too and Jeanette won't let him. She keeps coming up with things and does everything that she tells him not to do. Jeanette asked Tom to explain his accusations. Jo Beth notes publicly that these are broad general accusations and not specifics. No one can act upon the broad general accusations that kept coming up over the past year. Pam Kathan states she doesn't know what's going on and asks for an explanation. Jeanette states she would explain if she could but Tom keeps avoiding sharing the details. Tom states the harassment is

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still on him. Jeanette asked what harassment. He says she knows. Vic St. Cyr states 'point of order'. Jeanette states there hasn't been any harassment coming from her direction.

At the Board's request, solid waste tipping fees were requested from Carbury (current provider), Casella and Turnkey. Casella was due to get back to Jeanette after she provided some information on our tonnage. Casella originally provided a range for municipal accounts but also stated they may not be accepting new customers because NCES is scheduled to close in a couple years. A message was left at Turnkey.

Jeanette also reached out to Rebecca Metcalf about coming out to meet with the Board, at the Board's request. She gave dates of June 3, 10, or 17th. The meeting would include their attorney, Jo Beth stated we need more information on what will be discussed. Jeanette just asked for dates and knowing what will be discussed will be helpful for them and us. Tom mentioned the Host Agreement, that doesn't currently exist. Eric asked to provide a date at the next meeting.

Tom asked again who took the emails off his page. Jeanette stated it was IT, Certified Computers, our independent IT consultant. Jo Beth informs the board that our town emails are separate from our personal emails and are to be used for all town business and are subject to Right to Know Requests. Jeanette confirms that she doesn't manage our email system and doesn't have access to it. She only has access to her own emails. Tom asked if they sent her the files. Jeanette confirmed they sent her a file and asked Tom if he'd like it. He responded, please. She asked him to please send her his response regarding the recordings. He agreed to do so.

Jeanette presented the Dalton Neighbors Group Memorial Garden request. She presented a sketch for what the group would like to accomplish on town property. Last year the group did landscape work around the sign and at the front of the building as well as in front of the Old Town Hall. Members consulted with a professional landscaper to get a sketch on what we would like to do. The Dalton Neighbor Group would like the Board's permission to continue working on the gardens and to add a memorial garden at the front of the building around the flagpole. It won't cost the town anything as they get in-kind donations from resident gardeners. This memorial garden would be kidney shaped with brick pavers and a bench (granite hopefully). They would do fundraising for bricks and the bench and volunteers will do all the work. Eric motioned to approve the work being proposed. Jo Beth provided a second with approval via roll call.

Pam Kathan asked who a check can be made out to if they wish to donate to the Dalton Neighbors Group. Jeanette stated that all donations have been in cash up to this point. She will have to find out who a check can be made out to.

Jeanette also mentioned there is some granite curbing being donated to the group that will replace the medium sized rocks at the Old Town Hall garden/parking lot area. Jo Beth motioned to accept the donation of granite curbing being placed at the Old Town Hall. Eric provided a second with approval via roll call.

Kris Ennis asked about the Rules of Order for the meetings. It appears there is a lot of just yelling out or speaking out without being called upon. She raised her hand multiple times and did not get acknowledged. There are people who are trying to follow the rules who don't get heard. Everyone should have the same rules. How do people get heard – is it appropriate to simply shout out? Kris asked

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if she should just yell out. Eric stated that she should not. She's attempting to be appropriate but she wants to be heard as well and this happens at every meeting. He stated it's not ok to just speak up and she just wants to know how to be recognized at the meetings. Eric stated that people should wait until public comments to speak; not just one person, but everyone, from this point forward.

Terri Parks continued with additional cemetery items. She would like to have flags ordered for the cemeteries. Jo Beth motions for Jeanette to work with Terri to order flags for the cemeteries for Memorial Day. Eric seconds with approval via roll call.

Terri and Brian Parks discussed a fence issue with the Cemetery. There continues to be a problem with the house next door. The cemetery fence has been ruined. People don't want to go to the cemetery due to the mess in the adjoining lot. There are tires and brush stacked in between the lot line trees, where nothing should be placed there, since it is the property line. Brian says it's an eye sore and he would like to place a privacy fence on the inside of the cemetery property line to take care of the issue. Pam asked if the State Police will do anything. Brian stated there was a Select Board letter issued before. Mark Jacobs stated that snowmobilers were also in the cemetery on and off this past winter, potentially causing damage. Brian will get a quote for privacy fence. Jo Beth motioned to have Jeanette work with Terri and Brian to draft another letter to send to the resident, asking them to cleanup the space in between and near the trees, and to keep their belongings and trash off the cemetery property and lot line. Eric provided a second with approval via roll call.

Jeanette informs the board there are two legal nonpublic sessions needed for Legal and for Tax Exemption Requests.

Jo Beth motioned to go into nonpublic at 8:48pm. Eric provided a second with approval via roll call.

Jo Beth motioned to re-enter public session at 9:10 pm. Eric second with approval via roll call.

Jo Beth motioned to seal nonpublic legal session #1. Eric second with approval via roll call.

Eric motioned to adjourn meeting at 9:12 pm. Jo Beth second. Approved via roll call vote.

Minutes Respectfully submitted by Jeanette Charon.

Minutes Approved On: 5-29-2024 (date)



Jo Beth Dudley

Thomas Dubreuil



Eric Moore