

Wednesday, May 29, 2024 6:00 PM
Regular Session
Dalton Select Board Meeting

Meeting called to order at 6:00 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.

Eric Moore motioned to enter nonpublic for legal #1 at 6:00 pm. Jo Beth provided a second with approval via roll call.

Jo Beth motioned to re-enter public session at 6:51 pm. Eric provided a second with approval via roll call.

Jo Beth motioned to seal the minutes for nonpublic legal #1. Eric provided a second with approval via roll call.

Public attendees: Carol Sheltry, Michael Trudeau, Pam Kathan, Vic St. Cyr, Jay Ennis, Kris Ennis, Wayne Sweeny, 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 one pistol permit, the corrected MS-535, and the 2024-P01 Tax Warrant.

The Board reviewed meeting minutes from April 29, 2024. Eric Moore motioned to approve the minutes. Jo Beth provided a second. Tom abstained.

The Board reviewed nonpublic minutes #1 and #2, both legal, from April 29, 2024. Eric Moore motioned to approve with a second by Jo Beth. Approval via roll call.

The Board reviewed minutes from May 15, 2024. Eric Moore motioned to approve. Jo Beth second, as amended. Approval via roll call.

The Board reviewed nonpublic minutes 1, 2, and 3, all legal, from May 15, 2024. Eric motioned to approve. Jo Beth provided a second with approval via roll call vote. Note, nonpublic #1 was amended and approved as such.

The Board reviewed working session minutes from May 20, 2024. Eric motioned to approve. Jo Beth provided a second with approval via roll call.

The Board reviewed nonpublic minutes #1 regarding personnel. Eric motioned to approve with a second provided by Jo Beth. Approval via roll call.

No update for the Broadband Committee, as their next meeting is June 20th.

Brian Thompson from Passumpsic will be present on June 10, 2024 to present their options in lieu of the previously board approved state retirement plan.

The Dalton Picnic Area License Agreement has been emailed to Donna Madonna. Jeanette will let Tom know when that has been signed so his volunteer committee can work on cleaning up the space. Nelson Property Management has not yet provided a quote for adding the space to our mowing agreement.

The transfer station revenue and expenditure review by Tom has no update. He wants to wait to speak to Casella before he reports his findings. Jo Beth asked what Casella had to do with the task, as it is just presenting data so the Board can make an informed decision on current pricing. In February Tom had

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received data and agreed to complete a revenue and expenditure analysis on the transfer station to determine price changes for bags, demo, etc. No updates have been provided to date.

The Household Hazardous Waste Collection event is taking place on August 3, 2024 at Lancaster's transfer station. Dalton will follow the same guidelines as Lancaster regarding acceptable items and fees. More information to be released once the contract is received by NRRRA. Jeanette did comment that there will be no latex paint accepted at the event. Instructions for safe disposal of latex paint will be provided to residents. Jo Beth motioned to approve following Lancaster's pricing guidelines for the event. Eric second with approval via roll call.

The Select Board Rules of Procedure were mentioned but not discussed. This document was sent to all board members in March for review and discussion.

The Board offered a highway position to Lawrence Newton, who accepted the job. His start date is Monday, June 17, 2024.

Jeanette asked Tom if he had more information on the conflict of interest for her regarding the state employee retirement system. He stated he has said all he needed to say and it could be removed from the agenda. Jeanette asked why he isn't providing the additional information he stated he would previously. He reiterated he had nothing additional to provide.

The Zoom option for board meetings was discussed. Tom asked how it would work and Jo Beth gave an explanation. It is relatively easy if the meetings are available for viewing only via Zoom, without remote participation. The town already has a Zoom account, a camera and a microphone that could be used. It would entail minimal setup for each meeting. Eric motioned that he wasn't interested in providing the Zoom option. Tom agreed. Jo Beth voted nay.

There has been no response from Turnkey or NCES for tipping and transportation fees for our transfer station refuse. Mount Carberry, our current provider, has been the only respondent.

Eric asked if Casella confirmed the June 10, 2024 date. Jeanette stated their attorney, Brian Oliver, wasn't available that day and Rebecca asked for June 17, 2024. Tom motioned to approve that date. Eric second. Jo Beth voted nay and expressed that she still believes it is too early to have the discussion regarding a community host agreement.

There is no update for any grant opportunities at this time. The last grant completed for the pump station work has been reimbursed and closed out by NH DES.

The Board received a website-initiated email from Marianne Borowski regarding the Twin State Railroad Rails-to-Trails project. Jeanette will forward the email to the board; they stated they don't recall seeing it. A copy is attached to these minutes for reference. It deals with railbeds no longer being available for the Rails-to-Trails projects, due the sale of the NH Central Railroad to Vermont Rail Systems. The VRS plan may be to use the railbeds for storage of boxcars and propane tanker cars which would render the rail corridor not usable as a four-season recreational rail trail.

Jeanette presented the North Country Council's Transportation Improvement Plan 2027-2036 questionnaire. This is something we should discuss, including Adam, to ensure if we have any projects that need attention, they are included. Jo Beth noted this could help with possible funding allocation

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from federal and state agencies, and that if the town doesn't make requests, the work will not be placed on the list of projects. Jeanette will forward the email to the board as well as Adam King.

The Board received an email from Kris Pastoriza regarding the work Eversource is completing to transmission lines, poles, etc. Eversource is completing work that is beyond what the scope that was originally submitted in Stark. This includes higher towers, as well as building roads and concrete pads under the utility lines. The concern is that this could also happen when the work is completed in Dalton. Jo Beth motioned to draft a letter opposing the project's expansion outside the boundaries set forth in their submitted and approved plans. Tom and Eric have not thoroughly reviewed the email and ask to wait until the next meeting.

The Dalton Conservation Commission (DCC) submitted a request that Ruth Duval be named an alternate for the Commission. Her letter of interest, asking to be renamed an alternate for the commission, was also provided. Eric Moore motioned to approve with a second by Jo Beth. Approval via roll call.

Michael Trudeau had various comments on the Dalton Picnic Area (Adam's Pool). The entrance/exit is a steep slope and is dangerous. He proposes that Dalton build a shoulder and place a picket fence with a walk way so that people can park at the street level and walk down to the picnic area. Jeanette stated since this is a state road, there would need to be permission from DOT. An alternate suggestion is to have a sign noting parking is available at the Municipal Building and next to the Fire Station. Michael indicated that volunteers, such as himself, could install a fence at the top of the road to prevent vehicular access. Michael also proposed trash cans in the space so that people don't just leave their trash behind. Carol Sheltry added that the state won't place trash cans due to animals at Forest Lake; this would be a similar situation. She adds that it should be 'carry in – carry out' like other parks. Michael added that there are animal safe trash cans available. Kris Ennis added that during the cemetery clean-up, there was a lot of cemetery rubbish thrown into the woods that volunteers cleaned up. Trash receptacles are no longer there because people start placing household waste that attracted animals. Jeanette stated that all the improvements Michael proposes are to private property and how do we know if the landowner will (1) allow it and (2) not require the town to return the land to its original condition at the end of the license agreement. Additionally, who is going to pay for these improvements; they are not in our budget. Michael stated that he and his family enjoy the space frequently. Tom Dubreuil stated he is rethinking the whole idea of taking this park under the Board's wing with all these different things coming up. Jo Beth noted that earlier conversations were for volunteers to maintain this space.

Michael Trudeau asked about Cathleen Fountain's comment at the April 15, 2024 Select Board meeting regarding asking DRA about the rules and guidelines on the Town Meeting and ordering of the warrant articles. Jeanette spoke with Jamie Dow and was told it appears there was a misunderstanding on the order. DRA used to be much more stringent on this topic but has become lax in recent years. This misunderstanding is clear now going forward. Jamie confirmed there was nothing that could be done for a meeting already passed. She found it highly unlikely that the vote for the budget would have been swayed differently since the amended budget the petitioners were seeking was voted on and failed, even with the recount. Jay Ennis mentioned that a town can simply vote down a budget in lieu of amending it. Jo Beth thought that may be only for SB2 towns, but she wasn't sure. Jeanette confirmed that amending the budget at the time it is up for discussion is the proper way. Wayne Sweeney admitted he knew nothing could be done about March's meeting outcome, but our attorney gave him the wrong

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advice during the meeting. Jeanette confirmed that she did initially, but then she corrected herself and asked Wayne when he wanted to discuss the petition warrant article, obviously meant to amend the new budget. He chose to discuss it before the budget discussion, and that is how the discussion unfolded. The amended budget was voted on and lost. He disagreed that the attorney corrected herself and stated he would review it.

Additionally, Wayne asked about the correspondence between the town and the town's attorney in regards to the petition warrant article. Initially when asked about this information, Jeanette told them there is attorney-client privilege to legal communications. Wayne and Michael were asking if there was any guidance given to or received from the attorney on the petition warrant articles submitted.

Jeanette and Jo Beth both explained that the attorney only reviews the warrant for legal accuracy. That doesn't pertain to petition warrant articles because the Board is required to put them on the warrant regardless of their legality or accuracy. Similar to DRA's review and comment, the attorney just looks at the language and the accuracy of the Select Board presented warrants, as the petition warrant articles must be added to the warrant exactly as drafted by the petitioner(s).

Eric presented an "Amended Proposed Protocols Regarding Safety and liability For the Town of Dalton" and immediately made a motion to accept the document, Tom immediately seconded the motion and Eric moved to vote with no discussion. Jo Beth objected. She noted that neither she nor Jeanette had an opportunity to review this document, although it appeared that both Eric and Tom had seen it prior to the meeting. Jo Beth noted that each of these items should be discussed independently, and in conjunction with existing town policies and procedures. The items impacting the Highway Department and the Fire/EMS Department should not be considered without the respective managers, the Road Agent and the Fire Chief, present to participate in the discussion. Jeanette tried to provide input, but Tom told her she wasn't to speak, that this was a Board matter. Eric reported he had spoken with NHMA. Eric said that he wasn't hearing anything about the town. Jeanette asked him several times what information he wasn't receiving. Eric did not articulate, except to say he hadn't heard anything from Jeanette. Jeanette offered to provide updates on all the routine business of the town that she conducts if that's what Eric desires, although that would likely be more than he wants, as she is trying to do her job and needs input if there is more that Eric expects from her. Jo Beth noted that there are already existing policies and procedures regarding many of the items on the list, and the Board should review those and update them as appropriate, with the input of Department Managers. Town business is to be considered only during Select Board meetings.

Eric motioned to go into nonpublic for personnel at 8:20pm. Tom provided a second with approval via roll call.

Jo Beth motioned to re-enter public session at 8:23 pm. Eric second with approval via roll call.

Jo Beth motioned to seal the minutes for nonpublic session #2. Tom second with approval via roll call.

Eric motioned to adjourn meeting at 8:24 pm. Jo Beth second. Approved via roll call vote.

Minutes Respectfully submitted by Jeanette Charon.

Minutes Approved On: _____ (date)

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Jo Beth Dudley

Thomas Dubreuil

Eric Moore

DRAFT