

**Monday, March 3, 2025 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: Shawn St. Cyr, Robin Pilotte, Eric Pilotte, Carol Sheltry, Jay Ennis, Cathleen Fountain, Paul Deveno, Mandy Deveno, Warren Green, Kurt Hall, Terri Park, and videographer Emily Thompson as well as others who chose not to sign in and could not be identified.

The Board signed AP and payroll checks. Tom asked who DemocracyLive was. Jeanette explained it is the company who provides the programming for the tablet used in town elections now, pursuant to HB1264.

The Board reviewed the December 2024 and January 2025 bank reconciliations and transaction reports. Jo Beth asked about the budget entries for 2025 being entered after town meeting. Jeanette confirmed. Tom refused to sign the Conservation Commission reconciliations as well as the transaction reports for both months. Tom asked for copies of the transactions reports to be sent to him. Jeanette confirmed she would send them and asked him to sign off on them. He stated he would do so after he received the reports.

Working Session #1 meeting minutes from February 13, 2025 were presented. The Board reviewed the minutes. Eric motioned to approve the minutes with a second from Jo Beth. Approval via roll call vote.

The programming for the voting tablet will be done this week, prior to election day.

Tom provided no report for the Conservation Commission.

Eric had no report for the Planning Board, which is scheduled to meet Wednesday, March 5, 2025.

Jeanette confirmed the engineering assessments for the highway garage and fire station roofs have been completed. This is in preparation for the solar array grant work.

The revision for the Hazard Mitigation Plan is underway with the first meeting having taken place on Wednesday, February 26, 2025. Meetings will take place 1 time per month until the plan is completed.

Eckman Engineering is posting the Smith Road Reconstruction Project for public bid. They inquired which newspapers should advertise for the project. Jeanette provided them with Salmon Press for Coos County Democrat and Littleton Courier as well as the Caledonian Record. Jo Beth asked about advertising it in the southern part of the state to attract the larger companies David previously mentioned had interest. Jeanette stated those contractors are already in que for the release of the bid documents, per David Eckman.

The DES Letter regarding the Conservation Commission's appeal for Casella's shoreline permit application that the town was not copied on: Tom and Eric want to submit a letter to basically withdraw the appeal. Eric stated the letter is to protect the town from being sued. Jo Beth re-iterated the appeal has nothing to do with suing the town or protecting the town from a lawsuit, it simply states the town should have been copied on the shoreland permit application submission. Tom said the Conservation Commission didn't have the authority to file the appeal without Select Board approval. Additionally, she stated that Tom was at the meeting when the DCC voted on sending the appeal and that would have been the appropriate time for him to say something and bring it back to the Select Board. Tom stated the letter was brought up months ago and there is an RSA stating that the DCC shouldn't be acting

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without the Board's approval, as he read previously. The letter is going out to state the fact that the Board doesn't agree with what Jon did. Jo Beth reminded Tom the appeal came from the Conservation Commission, not an individual. Tom read the letter aloud (attached). The letter had already been voted on twice and twice Jo Beth stopped the letter from being sent. Jo Beth reminded Tom that this discussion should have been in public session. Tom presented the topic in nonpublic session and that resulted in the delay. Jo Beth drafted an alternate letter (attached) that displayed support for the appeal; due to the fact Dalton never received notification of the application for the proposed GSL project and should have. Jo Beth stated that it is the Board's responsibility to protect the town and do what is in the best interest of the town. Not being copied on that permit application side-stepped the town's right to know about the application since it is part of the project proposed for Dalton. Tom stated that the town has no ownership on that road so we have nothing to do with it. Jo Beth disagreed since the proposed project itself is in fact located in Dalton. Just as Bethlehem has been copied on the recent submission related to the solid waste permit applications for the GSL project that could be in Dalton, Dalton should have been copied on the application for the road leading into the project. Jo Beth motioned to send her letter. The letter simply agrees with the appeal and confirms the town of Dalton should get the information; it doesn't state anyone is for or against the project, it's just reiterating the Town should have been copied on the permit application. Tom stated he wished to go with the original letter. Eric confirmed the same. Jo Beth reiterated that the Board should be looking out for the best interest of the town; she has said that and she's saying that again. Sending the original letter goes against the best interest of the Town. Eric motioned to send the letter. Tom stated it was done already anyway. Jo Beth stated it wasn't done appropriately because it wasn't done in public. Tom provided a second. Tom asked Jeanette if she still had the original. She confirmed she did and that it has been ready to send. Jo Beth voted 'nay'. Motion passed 2-1.

Jay Ennis was present and wanted to make sure a select board member would present the articles and another member would second the motions. Has this been worked out or can it be worked out so there is no question on how the meeting is going to proceed? Eric asked if Jo Beth wanted to be part of it or not. She stated yes, but was waiting for him to proceed since he's chair. Eric asked for her suggestion. She provided direction and obtained a Annual Report book for Eric so they could determine the process. Jay asked about amending article 2 before it goes to a vote, as he has heard may happen. He would like to make that amendment following the introduction of the article. Eric had mentioned wanted to make a change to the legal budget. Jo Beth confirmed he wanted to move \$6500 from legal to financial admin and noted it wouldn't change the bottom line. She will motion to make the amendment. Would he then second her motion? He agreed. Articles will be motioned and seconded by the members in a rotating fashion. Jo Beth will present 2, 5, 8, and 11. Eric will present 3, 6, and 9. Tom will present 4, 7, and 10. The floor will handle articles 12 and 13, per Jay. Jo Beth asked if Community Power planned to be at Town Meeting to explain the warrant. Jeanette didn't believe so, as we've had two public hearings and the plan is available.

Jo Beth asked about election staffing. Tom will cover the morning. Jo Beth will cover late morning and the afternoon and come back for ballot counting. Eric will arrive about 4pm and all select board members will stay until ballots are counted and everything is complete. Jeanette confirmed everything should be all set for the election.



**Monday, March 3, 2025 6:30 PM**

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Jeanette asked about the status of the investigation. Eric stated the investigator hadn't gotten back to him yet. He reached out on Friday and she was with a client. Tom suggested leaving a message. Jo Beth asked if he also called a couple weeks ago.

**Public Comment:**

Paul Deveno voiced his concern about 147M-17 RSA (should be RSA 149M-17) regarding the signing of the Casella contract. On January 15, 2025, he sent a request (with RSA documentation) to the board to speak on January 20, 2025 but was shut down – he felt it was a good deal but risky for town to sign. The issue was raised again on January 27, 2025. He sent an email on January 31, 2025 that went unanswered. On February 3, 2025, Kris Ennis asked about it and Eric stated he would look into it. There was no mention of it in the February 10, 2025 working session minutes and again nothing on February 27, 2025. Here we are today with the Board receiving an attorney letter threatening legal action. He has no stake in the issue, but he's disappointed because he took his own time to help the board to avoid something like this – putting the town in this situation. Eric stated it didn't go to town meeting when they moved from Casella to Carberry years ago. Paul understands that, but he knew legally that the town was heading down that path and he was trying to keep the town out of trouble. After multiple opportunities to avoid that trouble, because anything in the town that has to do with trash is contentious. All that had to be done was the right thing. What action is the town taking now so we don't end up in a lawsuit. Can it become a warrant article still? Has that window closed? Eric Pilotte asked if the legal action would be for the first contract change or the second one. Paul stated he was not the one filing the suit. Eric stated it was changed years ago and it didn't go to town meeting. Paul is stating this should be fixed so the town doesn't end up in trouble. Jo Beth confirmed the issue we have now needs to be dealt with. Jo Beth asked Jay Ennis, Moderator, if there was an opportunity to add this to town meeting at this point, because there is not time to properly notice it. Jay confirmed the opportunity has passed at this point. Other business additions can only address nonbinding vote type of issues. The only opportunity for this would be another town meeting, properly noticed. Jo Beth noted the letter received by the attorney needs to be addressed in nonpublic. Robin Pilotte asked how Paul knows about it if it was just received from the lawyer. Jeanette stated that was a good question. Robin agreed and stated she wanted an answer. Jeanette stated she should ask Paul. Robin stated she was asking Jeanette because it comes to the office and not to him so how did he find out about the letter. Paul stated he heard it from the person who sent it. He didn't hear about it from anybody at the front of the room. Jeanette stated it was nice of Robin to throw the accusation though. She didn't accuse Jeanette according to her, but she was looking right at Jeanette when she asked the question and demanded the answer.

Eric motioned for nonpublic session. Jeanette confirmed she had two nonpublic items. Robin asked if there would be more after the nonpublic session. Eric confirmed it was being shut down. Jo Beth noted except possibly to seal non public meeting minutes and to adjourn. Robin gave Jeanette a group of right to know requests.

Jo Beth stated there has been no authorization for payment of legal invoices yet since November. She is still concerned and has looked at the invoices again. There are a few where the attorney talked to Casella's counsel. There was no authorization from the select board for them to speak with Casella's counsel. She asked Tom about the documents he was going to forward to her that had been previously sent to legal counsel. She has nothing regarding what Tom sent and what he spoke to legal about. There



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**Dalton Select Board Meeting**

is the charge for \$299 where the attorney read and considered an email from Save Forest Lake that she doesn't want the town to pay, as the select board did not authorize that work. Jo Beth motioned that the town change attorneys due to high cost, billing errors, and slow response on issues. The last invoice paid was through October. November through January remain open. Jo Beth stated it's hard to reconcile the invoices because Tom has sent things and she can't say whether those things are reasonable or not. Tom stated it's when Mr. Swan was undermining the Board. He stated Jo Beth knew about that because they talked about that in nonpublic. The attorney really needs to be paid. Tom told Jo Beth that if she really wants to go through them all, they can have a zoom meeting with legal counsel to go through them one by one with him and find out exactly what's going on. Jo Beth stated to move it forward, she would recommend payment for November except the \$299 in question that has already been discussed. Tom stated there was no permission given for Mr. Swan to send anything to legal either. Jo Beth noted that Casella sent stuff to the attorney as well and in the past our attorney would ask the board if they needed to take action on it instead of spending an hour and a half and \$300 on it without authorization. Tom stated he needed to know more about that before he could make a statement on that. Jeanette spoke up and stated she really hoped the Board wasn't going to pay a bill that couldn't be reconciled. As a tax paying resident, she really hopes we aren't paying bills that we can't reconcile and legitimize the cost. Jo Beth confirmed the legal firm took \$783 off the bill for September and October. On November 30<sup>th</sup>, legal received and reviewed email from selectman Dubreuil regarding a variety of town matters including possible next steps regarding right to know issues for \$414. Jo Beth commented that Right to Know issues are straight forward. Tom asks why Jo Beth is tearing him up when she got the special meeting and the money that will be spent on the hostility part that he still doesn't understand. Jo Beth and Jeanette stated she wasn't tearing him up; additionally, Jo Beth reminded him she had nothing to do with the special meeting. Tom continued stating she is trying to tear him apart, plus they did a motion for planning board to get input on a letter and that kept going from that and it should've been only a couple hundred and that went up to almost \$1200 and nothing was done about that and Jo Beth knows that was wrong what they did. Jo Beth and Jeanette asked if he was talking about the letter regarding HB1221? Tom stated that conversation kept going back and forth and then he found out, going off hearsay, that he didn't abide by legal's ruling on it. Jo Beth asked if it was about HB1221 again. She asked Terri Parks if she recalled that part of it. Terri stated it's a very muddy situation and something that isn't really clear and the planning board was trying to reach out because there were many requests to have a meeting with local towns to discuss what's before the state/DES from Casella; but it isn't anything that's legally binding. Jo Beth stated her understanding was that the planning board wasn't required to hold a public hearing because it's designated a development of regional impact. The fact that they can hold one is different than them being required to hold one. People supporting the legislation thought it would require the planning board to hold a public hearing. Terri agreed. Jo Beth asked if the November bill should be paid minus that \$300? Tom stated yep, and then they could speak with legal counsel. Eric stated he brought it up last time. Jo Beth stated that if it's deleted from the bill, that's a strong statement and then there is still December and January. Jo Beth would like Tom's information shared with the Board. In December there are multiple charges for December 5<sup>th</sup> and she questions whether there is duplication. Tom stated it was from right to know from Mr. Swan and went through it all and got it and lost the paper and had to go do it a second time. Jo Beth isn't arguing about the right to know; she's trying to get information to reconcile the bill. Tom interrupted and told her she needs to stop doing that; they will go over that one by one and figure it out. Jo Beth states that is what she's trying to do. Then on the 9<sup>th</sup> there is a charge for Tom and a discussion about DCC and Casella;

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she's trying to figure it out. Tom asked to see the invoice. Jeanette stated she didn't understand why only one select board member is looking at these invoices and no one else is giving any type of input in paying it and now all of a sudden we are just going to pay it? After looking at the invoice, Tom stated he thinks they need to have a conference with the attorney to go over things exactly because some of the things just aren't making sense to him either. Jeanette suggested it be done for free this time because last time it cost us \$1000 for him to go over the billing stuff. Jeanette states she gets garbage invoices that are more detailed than these legal bills. Jo Beth doesn't trust these invoices but the town needs to pay their bills. These should have posted in 2024 but they aren't going to. Tom asked Eric to see if he would talk to the attorney about setting up a meeting to go over the invoices. Jeanette suggested speaking with him and then paying the bill since we don't meet again for two weeks.

Jo Beth reminded Eric and Tom about the motion she made to change attorneys. Others can be looked at besides Mitchell Municipal Group. Tom stated he wants to clean this up first and see what's going on and then go from there. Jo Beth mentioned the other main concern about his delay in response to issues.

Jo Beth asked Eric to work with the Planning Board at their next meeting to coordinate the public hearing for the proposed sale of ~1/2 acre to Karol and Pamela Bean with the public hearing for the associated Subdivision request.

Jo Beth provided a second for nonpublic session for two legal items per RSA 91-A:3, II(e) at 7:41pm. Approval via roll call vote.

Jo Beth motioned to go back into public session at 7:58pm. Eric provided a second with approval via roll call vote.

Tom motioned to seal nonpublic meeting minutes sessions #1 and #2. Jo Beth provided a second with approval via roll call vote.

Eric motioned to adjourn the meeting at 7:59pm. Jo Beth provided a second with approval via roll call vote.

Minutes Respectfully submitted by Jeanette Charon.

Minutes Approved On: 3/17/25 (date)

Jo Beth Dudley

Jo Beth Dudley

Thomas Dubreuil

Eric Moore

Eric Moore



**Town of Dalton, NH  
Board of Selectmen  
756 Dalton Road  
Dalton, NH 03598  
Selectmen@townofdaltonnh.gov**

February 10, 2025

Mr. Phil Trowbridge, LRM Manager  
NH Department of Environmental Services  
29 Hazen Drive  
Concord, NH 03302-0095  
[Philip.r.trowbridge@des.nh.gov](mailto:Philip.r.trowbridge@des.nh.gov)  
(sent via email)

Re: Wetlands Permit Application (RSA 482-A) NHDES File Number: 2023-03259  
Subject Property: Douglas Drive, Dalton, Tax Map #406/1, Lot #406/2 ("Application")


Dear Mr. Trowbridge:

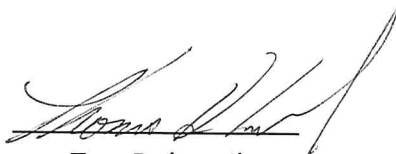
Please accept this letter to ensure notice that the Dalton Select Board has not authorized any actions taken by the Dalton Conservation Commission, Mr. Swan or his legal counsel to appeal the Wetlands Shoreland Impact Permit Application for the Granite State Landfill on behalf of the town of Dalton, NH.

This letter should also serve to notify Mr. Swan and the Dalton Conservation Commission not to pursue any further appeals without first getting approval from the Dalton Select Board.

Sincerely,

The Dalton Select Board

  
Eric Moore, Chairman

  
Tom Dubreuil

\_\_\_\_\_  
JoBeth Dudley

Cc: Dalton Conservation Commission

**Town of Dalton, NH  
Board of Selectmen  
756 Dalton Road  
Dalton, NH 03598  
selectmen@townofdalton.com**

March 3, 2024

State of New Hampshire  
Wetlands Council  
NH Department of Environmental Service  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
*appeals@des.nh.gov, legal@des.nh.gov, philip.r.trowbridge@des.nh.gov,  
darlene.c.forst@des.nh.gov, Robert.R.Scott@des.nh.gov*

Re: Docket No. 24-21 WtC; Appeal of Dalton Conservation Commission  
*NHDES File Number: 2024-00766 (Shoreland Impact Permit)*  
*Subject Property: NH Route 116, Bethlehem, Tax Map #ROW, Lot #ROW*

To Whom it May Concern;

Please be advised that although the Dalton Select Board, through Town Counsel, has notified the Dalton Conservation Commission that they lacked independent authority to file Appeals on behalf of the Town of Dalton, the Dalton Select Board hereby acknowledges that the Town of Dalton supports said Appeals filed on behalf of the Town.

In summary, the Dalton Select Board agrees that the Town of Dalton should have been and should be copied on the referenced shoreland impact permit application and on any and all permit filings related to the proposed Granite State Landfill project in Dalton, NH.

Sincerely,

*Dalton Select Board*

*Eric Moore, Chair  
Thomas Dubreuil  
Jo Beth Dudley*