

Monday, March 17, 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 and Eric Moore were physically present. Town Admin, Jeanette Charon present and note taking.

Public attendees: Carol Sheltry, Kris Ennis, Cathleen Fountain, Paul Deveno, Mandy Deveno, Warren Green, Kurt Hall, Pamela Kathan, Michael Crosby, Michael Ryan, 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.

The Board reviewed the February 2025 bank reconciliations and transaction report.

Meeting minutes from March 3, 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.

Nonpublic meeting minutes for sessions #1 and #2 were presented for March 3, 2025. Jo Beth motioned to approve both sets of minutes. Eric originally declined to approve #1 since the topic had been shared all over social media already. Jo Beth and Jeanette responded that the minutes should still be approved, as it was discussed and involved the pending litigation topic. Jo Beth noted that they should remain sealed because pending litigation should be considered in non-public session while its pending. He concurred and provided a second for both nonpublic sessions #1 and #2 to be approved. Approval via roll call vote.

The Board executed a LUCT warrant for land use change fees.

Jeanette provided a copy of the Equalization Ratio Study received from the Dept. of Revenue and asked the Board if they had questions. Both members had seen the email when Jeanette sent it during the previous week and no one had any questions. It is primarily just how DRA perceives the values of properties in Dalton for taxation relative to the rest of the State.

The bid opening for Smith Road will be on Monday, March 31, 2025 at the beginning of the regularly scheduled Select Board meeting.

The public hearing for unanticipated funds will take place on Monday, March 31, 2025, at 6:00 p.m. for the funds received from the NH Dept. of Safety for architect/engineering fees for rebuilding Smith Road.

The heavy rains from the weekend damaged a couple of our town's roads. The highway department staff were working diligently at getting washouts, holes and ruts filled all day.

With town elections complete, new oaths of office were required for Jo Beth and Jeanette. Eric asked if Emily could also do her oath at the meeting; she won the planning board seat for a three-year term. All three oaths were completed at the meeting.

Jeanette asked if anyone had comments on the Upton & Hatfield legal invoices from November through February. No one had comments to provide.

Jo Beth asked if Eric had an update from the recent planning board meeting. He stated he was unable to attend. Jo Beth asked if he spoke with Carl about scheduling the public hearings for the Bean property subdivision/lot line adjustment and purchase. He did not. Jo Beth asked if Eric had received the paperwork from our legal counsel on the purchase. Eric had not seen anything come through. Jo Beth stated that the response time for legal items is not acceptable. It's been over a month since that

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information was provided to Nate. Eric gave Jo Beth permission to contact our legal counsel to ask for an updated status.

Jeanette asked if a new chair and new liaison assignments were going to be voted on since this is the first meeting after town elections. Eric stated he wanted to wait for Tom to be present. Jo Beth stated they could do them without Tom present, as they had a quorum. Eric declined.

Jeanette asked about the status of the investigation. Eric had no answer. He stated everything was going through Nate. Jo Beth asked if the investigator was going to interview anyone else. Eric stated no. Jo Beth stated she could ask legal counsel about that and the status during her call. Eric agreed.

Public Comments:

Kris Ennis asked about legal counsel being asked to be present at town meeting without the discussion in public session. This violates RSA 91-A. Her complete comments are attached.

Kris Ennis also wanted to ask the Board to consider allowing residents to make comments about topics as they are discussed by the Board. This allows residents to make timely input prior to decisions are made and votes taking place. Her complete comments are attached.

Jo Beth asked if the Zoom will be setup for our next meeting. Jeanette, unsure if it needed Board discussion first, will be sure it's setup for the meeting on March 31, 2025. The link will be posted on the Town website.

Carol Sheltry asked about the burnt-out lights in the parking lots. It makes it dangerous when leaving meetings in the dark. Jeanette stated that she has contacted a couple different electricians and no one is responsive. Jo Beth suggested someone on the highway department check to see if they just need new bulbs. Jeanette will make that request to Adam.

Paul Deveno asked when there would be information available on the Host Community Agreement meetings to start discussing the possibility of an agreement between the town and Casella, should the Granite State Landfill project get approved to come to Dalton. Pam Kathan asked if residents would get regular updates. Emily asked if the meetings would be open to the public. Paul stated that it's important to get resident input and that there would likely be sessions just for that purpose. There will be public meeting and other meetings will likely be closed to the public since it will involve negotiations, per Jo Beth. Days and times will be discussed and determined. Jeanette will send an email to the committee members to see when all are available for a kick-off meeting to determine logistics.

Michael Crosby stated he was disappointed in the dedication for Vic St. Cyr in the Annual Report. He was involved in many good things in the town and none of those things were mentioned. He would like the opportunity to provide a list of Vic's accomplishments to be read into public record. The Board agreed that would be ok. Jeanette informed Michael that the write-up was provided by the family through Tom. No one made any changes to what was provided.

Eric Moore motioned to enter nonpublic at 7:18 p.m. Jo Beth provided a second for nonpublic session for three legal items per RSA 91-A:3, II (a), (c), and (e). Approval via roll call vote.

Jo Beth motioned to go back into public session at 7:45pm. Eric provided a second with approval via roll call vote.

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Jo Beth motioned to seal nonpublic meeting minutes session #1. Eric provided a second with approval via roll call vote.

Prior to closing, Jo Beth suggested that Eric and Tom, as well as herself, should keep a log of the dates and times and topics being discussed with legal counsel. This information would be provided to Jeanette so she can more efficiently reconcile the invoices and process payment for the attorney.

Jeanette asked Eric if he would be sending agenda items to Jeanette going forward. Eric stated that we discuss the same general items. Jeanette agreed and stated that she identifies most topics. It was agreed that Jeanette will provide the agenda for each regular meeting and the Board will provide her with additions in a timely manner; these topics will be included in the agenda published.

Eric motioned to adjourn the meeting at 7:49pm. Jo Beth provided a second with approval via roll call vote.

Minutes Respectfully submitted by Jeanette Charon.

Minutes Approved On: 3/31/25 (date)

Jo Beth Dudley

Jo Beth Dudley

Thomas Dubreuil

Eric Moore

Eric Moore

March 17, 2025

Good evening, members of the Select Board.

I am here today to express concern about the recent vote to authorize legal counsel for the Town Meeting, which occurred outside of a properly noticed public meeting. As you know, New Hampshire's Right-to-Know Law (RSA 91-A) requires that all government meetings, including those of the Select Board, be open to the public, with very limited exceptions.

The decision to hire legal counsel is significant and should have been made in a public meeting. This ensures transparency and public participation in decisions that affect the Town. While certain legal matters can be discussed privately, hiring legal counsel does not fall within those exceptions.

I urge the Board to ensure that future decisions, especially those involving legal and financial matters, are made in open meetings, in compliance with the law. Transparency is essential to maintaining public trust, and I trust the Select Board will act to uphold this principle.

Thank you for your time and consideration.

Kristina Ennis

March 17, 2025 Select Board meeting

Good evening, members of the Select Board.

I'd like to address a concern raised by several residents regarding the timing of public comments during your meetings. While I fully understand the need to maintain order and ensure that no one speaks without being recognized, many in the community feel that waiting until the end of the meeting to provide comments can make their input less meaningful, especially if a vote has already been taken on the matter.

To address this concern while preserving order, I suggest introducing a brief window for public comment immediately after an issue is discussed, but before a vote is taken. For example, allowing two comments in favor and two in opposition would give the public a timely opportunity to weigh in while the discussion is fresh, and before decisions are made. Of course, it's important that these comments are directed to the Select Board, not to other members of the public.

This approach would ensure that the public has a voice in the decision-making process, while maintaining the structure and flow of the meeting.

Additionally, while it's important to allow for timely input, I believe there should still be a general public comment period at the end of the meeting. This would provide a space for residents to raise other issues not directly related to the agenda items.

Finally, I encourage the Select Board to make a concerted effort to recognize a broad range of voices, ensuring that all residents feel heard and valued—not just the same individuals speaking at every meeting.

Thank you for your time and consideration of these suggestions. I appreciate your dedication to serving our community.

Kristina Ennis

Nonpublic Session Minutes

Town of Dalton

Date: March 17, 2025 # 2 Legal

Members Present: Jo Beth Dudley x
Thomas Dubreuil
Eric Moore x

Motion to enter Nonpublic Session made by Eric seconded by Jo Beth

Specific Statutory Reason cited as foundation for the nonpublic session:

 RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

 RSA 91-A:3, II(b) The hiring of any person as a public employee.

 x RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

 RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.

 RSA 91-A:3, II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled

 RSA 91-A:3, II(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

 RSA 91-A:3, II(l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call vote to enter nonpublic session:	Jo Beth Dudley	<input checked="" type="radio"/> Yes	No
	Thomas Dubreuil	Yes	No
	Eric Moore	<input checked="" type="radio"/> Yes	No

Remove public meeting tape (if applicable).

Nonpublic Session Minutes

Town of Dalton

Entered nonpublic session at 7:18 a.m./p.m.

Other persons present during nonpublic session: Jeanette Charon, Town Administrator, present and note taking.

Description of matters discussed, and final decisions made: Jeanette presented an abatement request she submitted to our new assessor for her property at 859 Dalton Rd. She inquired about the land value since it appeared to be much higher than other surrounding properties, even those with more acreage than she owns. The assessor agreed with Jeanette's finding and prepared an abatement for the Select Board to review and sign. Eric motioned to approve and sign the abatement request. Jo Beth provided a second with approval via roll call vote.

Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by Jo Beth, seconded by Eric.

Motion: PASSED / DID NOT PASS (circle one)

Nonpublic meeting tape removed; public meeting tape replaced (if applicable).

Public session reconvened at 7:45 a.m./p.m.

Motion made to seal these minutes. If so, motion made by , seconded by , because it is determined that divulgence of this information likely would

 Affect adversely the reputation of any person other than a member of this board

 Render a proposed action ineffective

 Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to seal minutes:	Jo Beth Dudley	Yes	No
	Thomas Dubreuil	Yes	No
	Eric Moore	Yes	No

Motion: PASSED / DID NOT PASS (circle one)

These minutes recorded by: Jeanette Charon

Nonpublic Session Minutes

Town of Dalton

Date: March 17, 2025 # 3 Personnel

Members Present: Jo Beth Dudley x

Thomas Dubreuil

Eric Moore x

Motion to enter Nonpublic Session made by Eric seconded by Jo Beth

Specific Statutory Reason cited as foundation for the nonpublic session:

 x RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

 RSA 91-A:3, II(b) The hiring of any person as a public employee.

 RSA 91-A:3, II(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.

 RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.

 RSA 91-A:3, II(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled

 RSA 91-A:3, II(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

 RSA 91-A:3, II(l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

Roll Call vote to enter nonpublic session:	Jo Beth Dudley	<input checked="" type="radio"/> Yes	No
	Thomas Dubreuil	Yes	No
	Eric Moore	<input checked="" type="radio"/> Yes	No

Remove public meeting tape (if applicable).

Nonpublic Session Minutes

Town of Dalton

Entered nonpublic session at 7:18 a.m./(p.m.)

Other persons present during nonpublic session: Jeanette Charon, Town Administrator, present and note taking.

Description of matters discussed, and final decisions made: Jeanette asked the Board to execute the proper paperwork for the salary increase approved by residents at the town meeting. Eric agreed it was in the budget. Jo Beth agreed it was earned. Jo Beth motioned to approve the pay raise, Eric seconded, with approval via roll call vote. Jeanette provided the document for the Board to sign. Additionally, a salary change document was provided for the new pay wage for the combined Tax Collector/Town Clerk position. As agreed during select board meetings, the budget hearing, and at town meeting, the new hourly rate for this position is \$19.50/hour. The tax collector salary goes away; however, tax collector fees were voted to remain in the compensation package. Jo Beth motioned to approve the new hourly rate for the combined tax collector/town clerk position. Eric seconded, with approval via roll call vote. Eric and Jo Beth signed the document for this change as well. Jeanette will provide both to our bookkeeper who processes payroll.

Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by Jo Beth, seconded by Eric.

Motion: (PASSED) / DID NOT PASS (circle one)

Nonpublic meeting tape removed; public meeting tape replaced (if applicable).

Public session reconvened at 7:45 a.m./(p.m.)

Motion made to seal these minutes. If so, motion made by _____, seconded by _____, because it is determined that divulgence of this information likely would

_____ Affect adversely the reputation of any person other than a member of this board

_____ Render a proposed action ineffective

_____ Pertains to preparation or carrying out of actions regarding terrorism

Roll Call Vote to seal minutes:	Jo Beth Dudley	Yes	No
	Thomas Dubreuil	Yes	No
	Eric Moore	Yes	No

Nonpublic Session Minutes

Town of Dalton

Motion: PASSED / DID NOT PASS (circle one)

These minutes recorded by: Jeanette Charon