

Monday, December 26, 2024 6:30 PM

Regular Session

Dalton Select Board Meeting

Meeting called to order at 6:31 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, Pam Kathan, Robin Pilotte, Eric Pilotte, Kristina Ennis, Tom Arrison, Mandy Deveno, Paul Deveno, Michael Ryan, Carol Sheltry, Maura Annette Chappel, Terri Parks, Brian Parks, Jen Green, Warren Green, and videographer Emily Thompson as well as others who chose not to sign in and could not be identified.

The Board signed AP checks. Tom Dubreuil came into the office earlier to sign payroll checks.

The Board reviewed and signed an Intent to Cut.

The Board signed three (3) abatements for inventory penalties: one (1) was for a property in transition of ownership (previously approved by the Board) and two (2) were due to penalties not being removed from parcels, in error. Jo Beth motioned to approve all abatements. Eric provided a second with approval via roll call vote.

The Board was presented with two Trustee of the Trust Fund requests for approval. One from the Paving Capital Reserve Fund for \$215,000.00 (for gravel to repair flood damaged roads) and the other for \$47,529.91 (for the 2024 lease costs for the excavator and backhoe) from the Highway Equipment Capital Reserve Fund. Jo Beth motioned to approve both requests individually with a second by Eric for each. Approval via roll call vote on each request.

Casella was present to provide answers to questions regarding their proposal for landfill services and trucking. The trucking proposal was only provided for delivery of trash to NCES in Bethlehem. Jo Beth asked for a proposal to Mt. Carberry as well. Marc Morgan from Casella said he can provide that information. Whittings provided an incomplete proposal for hauling. Tom motioned for Casella to take over landfill services and staying local with Whiting for trucking. Eric stated he wanted to make sure trucking stays the way it is. Jo Beth asked for two separate discussions. Jo Beth reminded the Board there was only an approximate \$1800 savings per year to move to NCES; the risk of not having a place for trash when Bethlehem closes is not worth the savings. After the second year, when NCES increases their prices, there will be less than \$100/month savings compared to Mt. Carberry. Tom stated there is a risk either way. Carberry charges \$72/ton for tipping fees. Tom stated that Carberry is having issues with leachate spills. Jo Beth asked where he got that information from; she has not heard that. Tom couldn't recall. Tom is confident that Casella's design will help keep things clean and safe. Jo Beth noted the numerous DES reports of leachate spills, issues and leaks at NCES, with none reported at Mt. Carberry. Jeanette asked about asbestos containing materials. What happens with those materials-do we accept them now at our transfer station. Robin Pilotte stated we did not accept asbestos at our transfer station. Eric Pilotte stated the Board should ask the state. The state has to take the garbage even if others can't take it. Kris Ennis asks for point of order. Eric asked Eric to wait until public comment. Tom asked if Whiting's could step right in. Jo Beth asked if Whiting's would go to Carberry. She asked Marc from Casella if he knew what the cost would be. He was not sure. Tom motioned for Casella to take over landfill services and trucking because they're a lot 'cheaper'. Jeanette stated their proposal is \$435/haul, we pay \$295/haul now. Jo Beth stated it's not worth the risk, if we are really looking out for the best interest of the Town. Eric motioned to switch from Mt. Carberry to Casella. Tom provided a second. Jo Beth voted 'nay'. Jo Beth asked Eric and Tom to be clear on what they're voting on. It's not clear – they were pointing to the most recent Casella proposal which includes trucking and tipping. She asks for

Monday, December 26, 2024 6:30 PM

Regular Session

Dalton Select Board Meeting

clarification on the motion. Tom motioned; Eric second; Jo Beth voted nay. Jo Beth stated it includes all of our recycling so we won't be selling metals anymore. Jo Beth stated there is no agreement, only a proposal. The scope states 'all' recycling will be delivered to NCES. Jeanette asked if Casella is taking all of our trash and our recycling? Tom stated they were. Recycling will need to be negotiated with them when we get the contract. Marc mentioned that all recycling is described on page 7. It is household recyclables. Scrap metals can still be sold to our vendor. Jeanettes asks for clarification on the recycling that we take to Littleton free of charge will now go to Casella for a fee of \$32/ton. Tom didn't think so. Jeanette read it again. Tom stated the Board would finish up with it later. Tom is not worried about paying for recycling. Eric motioned to switch from Mt. Carberry to Casella. Jo Beth stated that was already done. Eric stated that was for trucking. Jeanette confirms we can disregard Whiting's response if they get back to us. Jo Beth asked for clarity on motions.

All Right to Know responses received by Jeanette have been sent out.

The Town took \$200,000 of the \$500,000 TAN available. Tom asked if that was the capital reserve. Jeanette explained it was the TAN from the bank. Jo Beth explained the TAN again (Tax Anticipation Note, i.e. a loan to cover cash flow pending anticipated tax revenue).

DRA suggests we move forward with the cyclical revaluation going forward for our next 5-year property reevaluation, since we had a statistical revaluation in 2023. Jeanette will bring another copy of the proposal to the next meeting. Jo Beth motioned to proceed with a cyclical revaluation. Eric provided a second with approval via roll call. Tom asked who was doing the assessing. Jeanette confirmed it's the same assessor doing our general assessing.

Jo Beth presented the Warrant for the Special Town Meeting in response to the two petitions received by Mandy Deveno on December 9, 2024. Jo Beth motioned to execute the warrant to have the meeting on Thursday, January 16, 2025 at 7pm in the gymnasium in the Municipal Building. Eric provided a second with approval via roll call vote. Eric would like the town attorney to be at the meeting. Tom motioned to have legal at the special town meeting. Eric provided a second with approval via roll call.

Planning Board update included Sansoucy and Adam meeting with the planning board regarding the Under Canvas development. Terri Parks provided some background on conversation about the roads and what work needs to be completed due to the flooding that occurred in July. Roads do need to be widened going up to the site. Extra grading would likely be needed and should be included in a memorandum of understanding with Under Canvas. Jo Beth asked if we had an estimate for the costs. Tom stated Adam should be able to provide that information. Jo Beth stated we need the costs and may need to hire someone to provide that information. Jo Beth noted that such infrastructure improvement costs should be paid by the developer.

Jeanette provided the preliminary estimate for repairing Smith Road. She also provided a proposal to include the costs for mitigation on the road. The cost to the Town after expected FEMA and mitigation reimbursement is roughly \$178k. Jo Beth motioned to move forward with the plan from Eckman Engineering, including developing a proposal, putting work out to bid and obtaining permits. Tom provided a second with approval via roll call vote.

Flooding on December 12, 2024 caused some damage to Faraway Road and Mountain Road. No costs have been calculated for that work, but the roads have been repaired and are safe and passable.

Monday, December 26, 2024 6:30 PM

Regular Session

Dalton Select Board Meeting

Karel Bean's lot line adjustment request at the old Grange building was discussed. RSA 41:14-A requires a proposal to be developed and sent to the planning board and conservation commission. There will need to be two public hearings. The price should include all costs associated with the associated transaction. All fees, deed recording, legal, etc. should be included in the cost for the sale transaction. Tom motioned for a proposal to be setup by legal to ensure it's binding. Tom agrees with selling the ½ acre lot for \$1.00. Jo Beth motioned for legal to draft the sales agreement for \$1.00 plus the associated costs. Once complete, Jeanette will forward them to the planning board and conservation commission as well as coordinate the two public hearings required. Tom provided a second with approval via roll call vote. Tom asked if we should inquire with them to ensure they want to proceed in the manner mentioned at the meeting before having legal proceed. Jeanette can inquire via email.

Pam Kathan asked the Board to commit to Monday night meetings at 6:30pm only; no more catering to people's personal calendars. Meetings have always been set for a Monday. She also asked if the Board saw the Connecticut Valley Environmental Services letter sent on November 14, 2024. She is curious that the selectmen@townofdaltont.com is not the selectman's email. However, that email is on the Forest Lake State Park Facebook page. Jo Beth asked to see the letter because she wasn't sure what Pam was inquiring about. Pam stated that was obvious because she didn't get it in an email. Pam suggests that the selectmen@townofdaltont.com email is being diverted to someplace else. Pam stated it was in the planning board and conservation commission meeting minutes when Tom asked for a copy of the email in question. She believes holding a special town meeting is a waste of time, waste of money for the town. The lack of confidence petition is nothing but a waste of time keeping the selectmen from doing town business and is just harassment for a selectman. It holds no water so why waste the time and money. The GSL petition...does it state the conservation commission and planning board have as much authority as the select board? Just curious...and what is the legal liability of the town on that. She thinks legal counsel should give a letter of opinion on that. The conservation commission page has too many nonbusiness items listed. The DCC is not working for the good of the town. They should look around and see the other issues in the town, such as dredging, that they are not tending to. They also need to teach their members as their own members aren't even aware of the infractions they themselves commit. For Select Board meeting minutes, why the change from 1-2 pages to 6+ pages. There is an awful lot of information that is not necessary in the meeting minutes. The Planning Board – why go against legal counsel causing legal liability. It is not in the best interest of the town. Jo Beth is asking what context these statements are being made. HB1221 was put before legal but they didn't like the answer. Pam asked what else Jo Beth would like clarification on.

Mandy Deveno asked about why a nonpublic session was held after she presented the petitions for special meetings. Jo Beth stated there was a tax abatement issue and a legal/personnel issue. Mandy asked about a statement made from Tom regarding legal looking at the petitions. Mandy asked if that was discussed in those legal meetings. Jo Beth stated there were other legal issues. Tom stated he wanted to talk to legal. Eric asked if there anything else from Mandy. She had nothing else.

Jo Beth reminded Tom and Eric about the NHMA calendar with deadlines for meetings. February 14th is the last date we can have a budget hearing. We are behind on the budget. Jo Beth motioned to ask departments for their proposed budgets. Tom provided a second with approval via roll call vote. Jeanette stated she already asked for the budgets, but has not received them all. Budget working sessions will be January 13, 2025 and January 27, 2025 at 6:30pm for the Select Board. Our initial

Monday, December 26, 2024 6:30 PM

Regular Session

Dalton Select Board Meeting

Budget Hearing will be February 6, 2025 with a secondary meeting tentatively scheduled for February 13, 2025. Both meetings will take place at 7pm in the municipal building.

Jeanette confirmed DRA's approval to expend \$175,000 out of our Fund Balance to help with the costs of repairing our roads from the July flood event.

The Secretary of State sent a notice regarding an "Official Ballot System" for handicapped voting according to HB1264. Local towns are required to cover the cost of having our local ballot programmed on the tablets so they are available for anyone needing handicapped voting assistance for our local election. We will need to include those costs in our election budget for 2025.

NRRA confirmed that Lancaster has set their hazardous household waste collection date for Saturday, August 2, 2025 from 11am to 3pm. The costs are similar to 2024's costs plus an additional 5% fee. Jo Beth motioned to participate in the program in 2025. Eric provided a second with approval via roll call.

Jeanette advised the Board she received an email from someone she believes to be a resident asking to use the gymnasium to practice basketball in the gymnasium. Jeanette stated there would be an issue with a key if someone else is scheduled for the gym. The Board had no exception to this and it's something that Jeanette can handle like the other requests. Jeanette just wanted to bring it to the attention of the Board since it's not a one-time use; it would be continuous. Jo Beth asked about getting another FOB; Jeanette stated that is possible. No motion needed.

Public Comments:

Mike Ryan asked how many people participated in the hazardous household collection day in 2024. Jeanette stated that there was no 'per person' count but we believe there was 25 or so. We were billed per unit. Mike asked if they signed in a book with their address. Jeanette explained the process at the collection site to Mike.

Maura Annette Chappel, from Jefferson, is part of the Right to Know New Hampshire and was present and had some questions regarding our meetings. September 9, 2024, was mentioned when a resident asked if there would be any other business after nonpublic and were told no. After nonpublic, a selectman began discussing other issues and one member stated it was not appropriate. That member got up and had a resident who remained out in the hallway come back into the room. Doing this is not allowed. It would be a new, not noticed meeting and is in violation of 91-A. When going into nonpublic, the RSA exemption must be given. Any member of the public can state they object to the nonpublic session; which must be included in the minutes of both the public and nonpublic sessions. Nonpublic sessions are abused. Dalton should contact NHMA and setup a right to know course and invite others to attend.

Kris Ennis asked that when a select board member wants to talk to legal, she believes he/she shouldn't state "I want to talk to legal," they should ask that the select board talk to legal.

Paul Deveno stated that the vote done in regards to handling the town's trash, he believes, was done to save the town money, and he appreciates that. What he wants to comment on is some of the due diligence and analysis that are done to get to that decision. Recycling remains unclear. Are we being billed for recycling or are we not being billed for recycling. That's an added cost – so we are not saving money. The gap between NCES and GSL, if built, is his concern. Where our trash is going to go is a

Monday, December 26, 2024 6:30 PM

Regular Session

Dalton Select Board Meeting

concern because the trucking is going to go up. He wants to make sure we are very diligent with moving forward with this. We must look at annual costs, annual increases, recycling costs, costs for when we can't deliver to NCES anymore, etc. so we don't do something that is good for us now, but not going forward.

Pam Kathan believes Casella stated they would take Dalton's trash to another facility and would not change the rate that is set in the contract. Jo Beth stated that we do not have that in writing. Pam stated that she did.

Jo Beth stated Paul's comments were very articulate. Based on those comments, would Eric and Tom be willing to reconsider their motion. Eric stated no. Jo Beth motioned to reconsider the motion to move to NCES based on the comments from Paul Deveno. Carol Sheltry asked for the trucking costs to NCES. \$435. She asked why Lancaster is being quoted \$600 for trucking to Carberry? Why is Dalton getting such a good rate? Robin Pilotte asked why complain. Maybe it has to do with mileage. Metals can still be sold. We should be paid for metal cans and aluminum cans. Tom stated the extra money with Kyle moving the recycling to Littleton costs money. It all balances out. Carol asked about the transfer station being closed on December 24th. Will it be open on December 31st. There was no posting or notice.

Pam Kathan asked why we are concerned about the costs of trucking when we are going into the special town meetings that require legal. Why is it ok to spend on one thing and not the other? Mandy stated the meetings don't require legal, the Board is requesting it.

Maura Annette Chappel asked about the switch for trucking and landfill services. What prompted this change? Pam asked if she was a resident and Maura stated she was a member of the public and from Jefferson. Eric stated our transport company stopped trucking services for landfills.

Eric motioned to enter nonpublic for personnel RSA 91-A:3 II(a)-personnel and II(l) legal. The Board entered into nonpublic at 8:22pm. Tom provided a second with approval via roll call vote.

Jo Beth motioned to return to public at 8:43pm. Eric provided a second with approval via roll call vote.

Eric motioned to seal the minutes for nonpublic sessions 1, 2 and 3. Tom provided a second with approval via roll call vote.

Eric motioned to adjourn the meeting at 8:44pm. Tom provided a second with approval via roll call vote.

Minutes Respectfully submitted by Jeanette Charon.

Minutes Approved On: 1/6/25 (date)

Jo Beth Dudley

Jo Beth Dudley

Thomas Dubreuil

Thomas Dubreuil

Eric Moore

Eric Moore