TOWN OF THORNTON
May 22, 2007
Selectmen's Meeting Minutes

6:45 The meeting was called to order.
Board members present: Arthur Gross, Jim Parziale and Roy Sabourn
Also present: Administrator Andrew (TA) Jim Demeritt, Road Agent (RA) Tom Dubey, Geoff Wilson, Giff & Sally Kriebel, Maher Mahmoud, Jim Sanborn, Brian Anderson, Jim Ingram

Hubbard Brook Research Foundation Scholarships – Geoff Wilson stated that deadline for selecting an individual for the scholarship is tomorrow. The only two with references were Ms. Chappell and Nicholas Varin. Advanced coursework and civic contributions must also be considered in the board's choice. It was noted that Emily Lonergan was very strong with honors and AP classes, but had not submitted references. The board will contact Mr. Wilson prior to the end of this evening's meeting.

6:50 Storm damage – The Road Agent reported that the chipper/grinder has to be rescheduled due to a blown engine. Hopefully it will be scheduled within the next couple of weeks.

The RA suggested that a department head debriefing for the recent wind storm, just as a cross communication about what might be done better in a future event. Selectman Gross stated it would be a good idea with both Hazard Mitigation and Emergency Management personnel present. Selectman Sabourn agreed stating that after a big fire the department meets to discuss what was done well and what could be improved. A meeting was tentatively set for June 6 at 9AM at the Municipal Building.

Truck screen- The New Truck does not have a screen for top. The price is $3700 without shipping and handling. The board inquired how the department's budget is doing. The RA stated that due to the costs of the storm, he will wait to see if FEMA monies come in prior to proceeding with the purchase.

Paving -$50,000 was approved to be placed in a capital reserve account. The TA inquired if it is available for paving this year? He had plans to pave 1.1 miles which will cost approximately $90,000. Included are Waterthorn and 6 side roads in Sugar Run that have not been touched since installation along with some culvert replacement. The culverts have already been purchased. He continued that an apron on Rte 3 at the entrance to the highway garage also needs to be paved. Selectman Sabourn inquired when we would have an indication of what will be covered by FEMA. The RA responded that the paperwork has to be in by July 9 and then it will probably be 2-3 weeks before we know. The RA stated he could push paving off until September, but that he doesn't want to go into October. GMI has been contracted and he would like to do all of the projects at the

same time due the cost and time of moving equipment. Paving plants close down in November. Jim Demeritt stated that the air temperature has to be above 48 degrees for the state to put down hot top. The RA stated he has no problem waiting to schedule paving until FEMA.has responded to the town. Selectman Sabourn stated he is concerned with petroleum product price increases. The RA stated that $70,000 is earmarked for paving and road repairs; about $40,000 has been spent for storm related work. Waterthorn Road will probably be $34-$38,000, of which $20,000 was carried from last year's budget. He stated that Waterthorn and the apron at the end of the Highway driveway are the priorities as the later is in violation. The other projects will be delayed until we receive notification of storm damage reimbursements. All Agreed

Part time seasonal employee - Selectman Gross inquired if the RA had gotten hold of Scott Kennison. YES he will be starting 6/18.

E-mails – The RA stated he has had many e-mails coming from one individual that seems dissatisfied with all responses. He commented that his time could be better spent working on the roads. The RA will copy future e-mails to the BOS for their attention.

Hazard Mitigation Plan – Steve Medaglia updated the board noting that a couple of years ago the town embarked preparing a hazard mitigation plan in order to receive Federal monies in the case of a disaster. This is not impacted by public assistance funds available due to the recent emergency. The plan was approved this past January. Recently Mr. Medaglia and Emergency Management Director, Terry Joyce, went to a Homeland Security Meeting for what needed to be done to qualify for post disaster funding. There will be monies available going forward for projects listed in the plan. FEMA supplies 75% of the funding. In order to qualify, they want to know what town is going to do to mitigate the issues for section 404 funding requests. If town doesn't follow through it may make the town ineligible to receive future funds. Mr. Medaglia asked that the board review some information. Mr. Medaglia stated that he and Terry sat down and figured what requests would be in order. They are requesting an $8,000 grant -$2,000 is town responsibility for high priority. $6,000 is for outreach information follow-up materials and additional information to new homeowners, etc.

Another grant of $26,700 has $6,700 from in kind support from the town with $20,000 coming from FEMA. This was spearheaded when former selectman Lee Freeman sat on the committee with the purpose of hiring an individual to help coordinate information.

Mr. Medaglia stated he wanted to get a feel if the current board wants to go forward with the requests. They are at a notice point. It will be 9 months to year before monies come back into the town. Selectman Parziale state his desire to read and absorb the information. Selectman Gross stated the group has done a lot of work and he would like to see plans go forward. Selectman Sabourn stated he has read the information and it seems like a lot of paperwork and time was spent with little result. Mr. Medaglia stated this is FEMA money with our share being absorbed through time, phone calls, etc. At this point we have to indicate what in kind support will be given by the town. Selectman Sabourn

stated he has seen too much abuse of the system and he needs to evaluate the request. Mr. Medaglia asked that the board keep in mind that everything was hashed out last year with individuals from town on the committee. A couple of the projects such as flood plain designation were recommended by the Planning Board. He continued that having the board's endorsement goes a long way.

7:30 Chief Joyce requested a non public session relative to personnel and reputation issues. (RSA 91-A:3 II a and c)

8:12 Tax deeding - Sheri Foster stated she recently received a letter saying that back taxes were due. She was unaware of this issue as her grandmother received the mail. She asked if the board could delay the deeding until the end of July in order that she could pay off the monies. She continued she had recently been able to return to work. Selectman Gross inquired if the property is in Ms. Foster's name. Yes. Ms. Foster continued that Nellie Pierce is 73 years old and had to be moved to a skilled facility this past week. Selectman Sabourn stated that the record looks like as of 12/13/06 the tax bill was sent to Ms. Foster. Ms. Foster stated she was not aware of the liens. She continued that she receives a monthly annuity and could pay $600/mo to pay off liens by end of July.

Selectman Gross inquired if Ms. Foster was aware of the disability exemption? YES but she has not applied for it. The board inquired if she had discussed it with anyone in the office? YES. The TA stated that the Tax Collector has no leeway and is controlled by state law. Ms. Foster stated she has tried without success to acquire a loan. Selectman Gross stated that the Tax Collector is not under the jurisdiction of the selectmen. Selectman Sabourn stated he wants to know what the ramifications are for any actions that the board might take. Selectman Gross stated that Ms. Foster needs only $1800 to avoid the deeding date. He continued that the board members need to speak with the Tax Collector. The board will review the situation and have an answer for 6/5/07.

8:24 Hidden Acres Road - Brian Anderson, Hidden Acres developer and Jim Sanborn contractor inquired if the board had reviewed the information. Selectman Gross asked for the thoughts of the other board members. Selectman Sabourn stated his thought that mistakes were made, and part of the problem was that Jim Sanborn was both the road agent and contractor. He continued that he believes that Mr. Sanborn did not know the grade requirement. Tom Dubey was an employee asked to oversee the work of his boss and signed off in good faith. A letter of credit release was signed off by 2 of 3 selectmen and the line for grades is checked. Someone should have caught it then. The developer went ahead and put asphalt down thinking it was appropriate. There were a lot of people who should have known. The Planning Board didn't ask for a road profile. The area of concern faces South and is asphalt. Selectman Sabourn continued that he does not believe it to be a hazard and he thinks the board has to accept the road because of the signatures on prior correspondence. Ditch lines need to be addressed. Obviously voters were in favor of taking this road thinking it was up to standards. Selectman Sabourn stated that some towns are making a developer hold onto a road until after the first winter after the final pavement is in place. Jim Sanborn inquired if the Selectmen waited until next spring

to accept the road if there would have to be another article for the voters' acceptance. Selectman Gross stated it would not, citing that Sugar Run went 3 years before the town took it over.

Mr. Sanborn inquired what happens if the $13,800 in the town's account for Hidden Acres does not cover the final paving. The board responded that it would be the responsibility of the developer. Selectman Sabourn inquired if the finish course of asphalt would bind up edges where they are cracking. Jim Demeritt stated that at a prior meeting there was a motion to require an as-built plan. This has not yet been done.

Selectman Gross stated the present board has not yet accepted the road. The Selectmen have the final authority to accept or reject a road. Selectman Gross stated that in the future the 5% requirement needs to be in place, and continued that if Hidden Acres Road is accepted it does not set a precedent for future road considerations.

Barry Van deMoere stated that an as built plan was requested because of the lack of information on file about the road. Cost to develop was not discussed. Selectman Sabourn inquired if there was a differentiation about what type of an as built plan was being requested. NO. Mr. Sanborn stated he didn't have any notification that an as built was requested. Mr.Anderson stated the sooner the binder is put on, the better the base coat will hold up. Selectman Sabourn stated that the developer might want to contact the individual that is building on the hill above the cistern so that run off does not fill up the ditch line. Selectman Sabourn stated his thought that the grade is a done deal given the items discussed above. Selectman Gross agreed. Selectman Sabourn stated the developer has some responsibility to stay in contact with the town.

Mr. Van deMoere stated that after the town meeting the selectmen had asked the Planning Board to look at the road as constructed. Mr. Sanborn stated that if he had been informed of that meeting this issue would have been resolved.

Selectman Sabourn suggested the developer have surveyor John March tie into his control and do an as-built showing the road's edge and culverts, and if it looked all right then he would be willing to let the grade issues go because of what has been stated. At that point they could go ahead with the finish coat of pavement. He would recommend that the road go through another winter after being paved and if it holds up then he would recommend that the town accept the road. Brian Anderson inquired if not accepted then Hidden Acres Road stays with the homeowners association? YES. Selectman Sabourn stated that Jim Sanborn did a good job; it's a good road. He continued he is trying to meet the developer half way, and agreed that a decision should not be made about a road without the developer there. He added that if there are problems with Hidden Acres Road in the spring they will have to be remedied before the town accepts road.

It was moved that an as built plan of Hidden Acres Road is required from the developer. The grade is okay as it is. Jim Sanborn will complete the ditch repair as discussed at the site visit. At that point the top coat of pavement can be placed. The road will be accepted

as a town road next year if it makes it through the winter. PASSED (x3) Mr. Sanborn requested that if the road issue comes up again he be called. All agreed.

Giff Kriebel.stated that the Zoning Board of Adjustment would be holding a meeting on 5/29 and they would be discussing a property on Rte 175. He inquired what the homeowner had been told by the Board of Selectmen. The TA responded that the prior board had not responded in writing, however Mr. Capuzzo had been to the office several times, had in fact informed the office that he had set back issues and was aware that he was proceeding with construction at his own risk. Mr. Kriebel stated that the building inspector would not be able to issue an occupancy permit. Selectman Sabourn stated that the town does not require occupancy permits.

Selectman Gross stated that he thinks the Dovhulok house is placed too close to set backs because of an old county road.

North Road (formerly Cuttyhunk North) – The TA produced a copy of the article as proposed in 1972 town report accepting the roads within Cuttyhunk. The board discussed its status if it was never maintained by the town and is considered to be a paper street, a private road and not even a class VI road. The TA was requested to contact legal counsel prior to issuance of a building permit, and releasing the town from responsibility for access and maintenance.

9:40 Towing reimbursement -A letter will be addressed to Mr. Arey stating the board's finding that the police were following standard procedures and the $85.00 will not be reimbursed.

It was moved to approve the Selectmen's Meeting minutes of 4/24/07. PASSED (x2)
It was moved to approve the Selectmen's Meeting minutes of 5/8/07. PASSED (x3)

9:50 Selectman Gross brought up the option of splitting the Hubbard Brook Research Foundation Scholarship amongst two students. After considerable discussion it was decided to honor Rebecca Chappell, with the $1500 Hubbard Brook Research Foundation Scholarship. It was a difficult decision

10:15 Jim Ingram presented a building permit for the board's consideration. The board approved the application pending receipt of the approved septic plan.

Roy Sabourn stepped off the board to speak for a client relative to a property he has surveyed on Peaked Hill Road. Boundary research has been done. He inquired if a deed had been done to the Town of Thornton for what is referred to as the spring lot. Selectman Gross stated that he did not recall one. Mr. Sabourn stated that the lot is roughly a 50' square box shown on map. He can't find any evidence of a structure, well, or anything else. He has placed a note on the plan that indicates that there is no public record that the parcel exists.Mr. Sabourn stated he did not show anything on his survey because of the lack of documentation. He questioned whether the town would give a

quitclaim deed for any interests that it may have on that parcel. Selectman Gross would agree as long as the Townsends are willing to pay all costs associated with the deeding YES. Mr. Sabourn inquired if the board thought that compensation was due the town. Selectman Gross stated he doesn't think that the supposed parcel has any value. Mr. Sabourn will have his clients' attorney draw up a quitclaim deed for review. Mr. Sabourn stated he does not want any appearance of wrongdoing. Jim Demeritt suggested a donation to an organization in lieu of compensation to the town.

Duguay building permit application - Selectman Sabourn stated that an addition on a non-complying setback will require that a building permit be denied. Mrs. Duguay's permit application will require a Zoning Board Approval prior to approval of the building permit.

Sigurjonnson building permit application - The TA is to request a letter from Sigurjonnson stating that both trailers will be removed prior to the board signing a building permit application for a new house.

APPROVALS:

Building Permit		
16 1 10-3	Mt River Dev	3BR house/2 car garage
2 6 2A	W.Joyce	replace garage (storm)
Intent to Excavate		
2 6 8	R.Olszak	continuance
Intent to Cut Wood		
16 7 51	DMF Thornton Realty Trust	

10:45 motion to adjourn PASSED (x3)

The next scheduled Selectmen's Meeting
Will be
June 5, 2007
6:45 PM at the Municipal Building