



## **TOWN OF THORNTON BOARD OF SELECTMEN**

Town of Thornton • 16 Merrill Access Road • Thornton NH, 03285 • 603.726.8168

Approved on:	10-21-20
BOS Initial:	MP
Rec'd by Town Clerk on:	10/26/2020
Town Clerk Initials:	dpr

### **Board of Selectmen Meeting Minutes October 7, 2020**

**10:04 a.m. Chairwoman Peabody opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance. This meeting was held via Zoom with the link referenced on the posted agenda.**

**ROLL CALL:** Chairwoman Marianne Peabody, Vice-Chairman Brad Benton, Selectman Roy Sabourn, and Selectman Joseph Monti.

**ABSENT:** Selectman Jack Gaites (arrived late: 12:55 p.m.)

**STAFF PRESENT:** Debra Shepard, Town Administrator, Chief Miller, Chief Defosses, Road Agent Kubik, TS Manager Steve Chiocca

#### *Public Input*

Erin Hennessey introduced herself to the Board of Selectmen as a State Representative in Littleton. She is running for Senate District 1 which includes Thornton. She asked the Board if they have any questions or concerns on the State level.

Selectman Monti informed Ms. Hennessey that the town has not been able to access funds for broadband through the CARES Act. He explained that it is unclear as to the process to release those funds. Selectman Monti further explained that the town has a great need for broadband with the number of students and residents working from home at this time.

Ms. Hennessey stated that during a meeting with the governor yesterday, she informed him that the North Country needs more funds for broadband expansion. The governor is very aware of this need. She further explained that the broadband expansion program through the CARES act has expired.

Ms. Hennessey explained that 16 applicants were denied the broadband funds and should have received an email to contact the Office of Strategic Initiatives (OSI) to find out why they were denied. Ms. Hennessey is hopeful that additional funding for broadband will be available with a longer deadline for applications.

Selectman Sabourn voiced a complaint regarding the governor's veto's and his concerting effort to shut down the wood chipping plants. He explained that this is an important issue for the forestry industry in this area. Ms. Hennessey stated that she supported a compromised bill. She is hopeful that there will be a compromise in the next term.

*Manifests*

**MOTION: "To approve the payroll manifest 10/9/2020 in the amount of \$30,086.77."**

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – abstained, Joseph Monti – yes, Roy Sabourn – yes

**Motion Passes: 3– Yes, 0 – No                      Abstained: 1**

**MOTION: "To approve the vendor manifest dated 10/9/2020 in the amount of \$225,744.51."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn -yes, Joe Monti – yes.

**Motion Passes: 4 – Yes, 0 – No                      Abstained: 0**

**MOTION: "To approve the consent agenda dated October 7, 2020 as presented."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joe Monti – yes, Brad Benton – Yes

**Motion Passes: 4 – Yes, 0 – No                      Abstained: 0**

**Consent Agenda for October 7, 2020**

1. Notice of Intent to Cut, Tyler and Heather Phillips, PID 7-2-24, Four Wheel Drive.
2. Deed to Frank and Grace Tolman, PID 15-4-17-1, 97 Blake Mountain Road (Tax Collector's Deed dated August 8, 2019 – repayment plan paid in full).
3. 2020 General Election Warrant – November 3, 2020
4. Land Use Change Tax – Mountain River Development LLC, PID 7-2-13-33, Joshua's Lane, 1.42 acres - \$42.00.
5. ZCA 2020-58, Duris, Daniel and Kristy, PID 15-1-44, 65 Banjo Drive  
Project Description: 41X36 garage.
6. ZCA 2020-59, Mtn. Valley Trust (Stone, David), PID 10-3-20, 16 Northpointe Road  
Project Description: 12x12 deck platform.

7. ZCA 2020-60, Fleming, James and Medved, Natalie, PID 10-3-1, 9 Northpointe Road  
Project Description: 14X18 shed and re-roof house.
8. ZCA 2020-61, Eaton, Craig & Stephani, PID 17-19-17, 21 Waters Edge Rd.  
Project Description: Remove old shed; new 40X28 garage.
9. ZCA 2020-62, Bowen, Raymond and Kathleen, PID 16-4-18, 1474 NH Rte. 175  
Project Description: 10X20 shed.
10. ZCA 2020-63, Cormier, Jennifer, PID 17-15-5, 185 Snowood Drive  
Project Description: replacing windows in 3-season room.
11. ZCA 2020-64, Smith, Thomas and Stephany, PID 10-9-2, 2785 US Rte. 3  
Project Description: demo small garage; interior remodel with dormer.
12. ZCA 2020-65, Cresswell, Bruce & Katherine, PID 16-1-7GL13, Edgewater Lane  
Project Description: 50X64 3 BR SF house.
13. ZCA 2020-66, Robinson, David and Shannon, PID 15-2-6, 25 Oak Ridge Road  
Project Description: 28X26 garage.

#### *Minutes*

Selectmen Sabourn recommended that no action be taken on the September 23, 2020 minutes due to multiple errors.

**MOTION: "To not approve the minutes of September 23, 2020 and ask the TA to discuss the minutes with the Board Secretary as the drafts submitted are unacceptable."**

Motion: R. Sabourn

Seconded: J. Monti

Discussion: Selectman Monti stated that he agrees to postpone approving the minutes and reminded the board that any changes made to the minutes need to be done in a public meeting.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joe Monti – yes.

**Motion Passes: 4 – Yes, 0 – No                      Abstained: 0**

**MOTION: "To approve the nonpublic minutes of September 23, 2020 as submitted."**

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – abstained, Joe Monti – yes.

**Motion Passes: 3 – Yes, 0 – No                      Abstained: 1**

## **Agenda Items:**

### **Moderator Piantedosi and Ken Wolfe– Election Update**

Moderator Piantedosi thanked the Board for their assistance with his first year as a moderator during the election process. Moderator Piantedosi referenced an article in the Concord Monitor that indicated a presidential candidate encouraging poll watching. Secretary of State David Scanlon has said that he has not made any specific accommodations for towns to deal with an influx of voters seeking to observe or potentially challenge the voting process. David Scanlon encouraged moderators to make use of their local law enforcement as well as the attorney general office in the case of election observance across the line from observing to intimidation. Moderator Piantedosi does not feel there will be contention in the small town of Thornton, but he would like to be prepared. He has asked that the Chief of Police provide assistance throughout election day. Mr. Piantedosi would also like to have two greeters at the door of the school.

Moderator Piantedosi also stated that the voting will take place indoors due to the event being held in the cold month of November. He asked the Board of Selectmen to mandate that residents wear masks when they are at the polls. Selectman Monti stated that he believes, based on the primary election, that the Moderator has the authority to mandate wearing masks at the polling location. Chairwoman Peabody suggested that Moderator Piantedosi work with the Town Administrator to create an announcement for the town website informing residents that masks will be required at the polling location.

Moderator Piantedosi explained that absentee ballots are an option for voters who refuse to wear a mask.

Ken Wolfe, Assistant Moderator asked if the website announcement can indicate that the Board of Selectmen support the mask requirement. Selectman Monti stated that the Moderator has the sole responsibility to mandate mask wearing at polling locations, and that the Board of Selectmen has no responsibility with this request. The Selectboard agreed that they do support the Moderator's mask mandate.

Additional discussion was held on the voting process.

### **Holiday Party Discussion**

TA Shepard stated that each year the Board holds a Holiday Party. She asked the Board if they would like to reconsider other options for employee, boards and committee appreciation in light of the COVID pandemic. Chairwoman Peabody and Selectman Sabourn discussed presenting gift certificates in place of the annual holiday party this year. Selectman Monti requested that the Town Administrator gather some additional information regarding cost and the number of employees, committee and board members that would receive gift certificates. The Board agreed to discuss this at their next meeting.

## Winter Sand Bid Award

Road Agent Kubik met with the Board to present the 2020-2021 winter sand bids. The sealed bids were opened yesterday at 3:00 p.m. as advertised in the Record Citizen. Chairwoman Peabody read the advertisement as posted.

Two bids were received:

- Benton Enterprise - \$7.75 per yard, winter sand

RA Kubik stated that Benton Enterprise is closer and cheaper. The product on hand is also a good material. RA Kubik is concerned that Benton Enterprise does not have a lot of material on the ground and that new material could be wet or may need to be created. RA Kubik is not sure if the product that will be created will be mixed with a lesser quality material.

Selectman Monti suggested that RA Kubik ask Benton Enterprise their intention to increase their stockpile if needed.

- Caulder Construction - \$8.00 per cubic yard. \$162 per delivered truckload.

Caulder is more expensive and is further in distance. Caulder offers a good, consistent, dry product. Selectman Monti reviewed last year's bid and stated that Caulder's cost has increased by 10% from last year.

Selectman Sabourn suggested that the town purchase the material that is available at Benton Enterprise at this time and then purchase additional loads as needed from Caulder Construction.

**MOTION: "To accept the 2020-2021 winter sand bid from Benton Enterprise in the amount of \$7.75 per yard and to acquire all of the good quality sand that they currently have available. At the discretion of the Road Agent, as soon as the quality of the material starts to decrease, RA Kubik is authorized to purchase material from Caulder Construction for the remaining sand needed at \$8.00 per cubic yard."**

Motion: J. Monti

Seconded: R. Sabourn

Discussion: Selectman Benton reiterated that the current stockpile at Benton Enterprise should not be mixed with wetter sand. TA Shepard recommended that RA Kubik contact the vendors to verify that the price per cubic yard will be honored if the town purchases an amount less than advertised.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn -yes, Joe Monti – yes.

**Motion Passes: 4 – Yes, 0 – No**

**Abstained: 0**

RA Kubik informed the Board that two highway department trucks need new winter tires. He explained that in the past he has had winter tires mounted on an extra set of rims

that allowed the highway department to swap winter and summer tires easily on the vehicles. This has been a cost savings for the town.

RA Kubik presented two quotes for two new sets of winter tires and rims for the F550's. This would continue to allow them to save the town money and swap the winter/summer tires in house. A total purchase of 12 tires with rims is necessary.

- Pete's Tire Barn is \$378 for a tire and rim. This company delivers the product ready to mount.
- Belknap Tire at \$370 per tire and rim.

The third vendor did not reply and has historically been more expensive.

**MOTION: "To approve the purchase of 12 tires with rims from Pete's Tire Barn in the total amount of \$4,539.60."**

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn -yes, Joe Monti – yes.

**Motion Passes: 4 – Yes, 0 – No**

**Abstained: 0**

*Highway Department Update:*

- Gravel has been placed on Gore, Dick Bradley, and Johnson Brook roads.
- He is working on pricing for a Class VI road sign for Chickenboro Road.
- The tree in the ditch on Sandwich Notch Road has been removed in response to a complaint received.
- Selectman Benton and Selectman Monti informed RA Kubik of dead trees along the side of roads that will likely cause some damage to the poles and power lines this winter. RA Kubik will contact the power company to request preventative maintenance.

### **Halloween – Trick or Treat – Discussion**

TA Shepard presented information regarding trick or treating from the CDC and NHMA.

Chief Miller informed the Board that most towns are not sanctioning Trick or Treating hours. Towns are suggesting that if residents decide to participate in Trick or Treating that the hours are between 5-7p.m. and requested that residents follow safety protocols and respect those households that choose not to participate.

Chief Miller considered doing a trunk or treat event at the Sugar Shack Campground but did not receive much interest from participants.

Selectman Benton stated that he saw a notice on Facebook from Nina Sargent encouraging a trunk or treat event on Mad River Road. After discussion, the Board agreed not to encourage Mad River Road for trick or treating this year.

Chief Miller stated that Halloween bags are being distributed at Thornton elementary schools.

Chief Defosses stated that the Town of Campton is not in favor of sanctioning Trick or Treating this year either. The Town of Campton has discussed a trunk or treat option but did not have a location to hold the event.

Chairwoman Peabody and Selectman Sabourn do not feel that the town should encourage trick or treating this year due to the COVID 19 pandemic. Selectman Sabourn suggested putting a notice on the town website to actively discourage the activity this year.

Selectman Benton discussed organizing a trunk or treat event on the Sugar Shack property in a socially distant manner. He is not opposed to having the event at the field, if there is a safe way to do this and enough volunteers to assist. He also feels that if Campton residents want to participate in the trunk or treat, they would be welcome at the field.

Selectman Monti feels that when the town establishes processes and guidelines, residents typically follow them with success. He feels that the families need some time out and something positive to look forward to. The Benton family has graciously allowed the use of their field and he would like to offer trunk or treating if it can be done in a safe manner. Selectman Monti recommended trying to create a trunk or treating event at the Sugar Shack field.

The Board agreed that there will not be a town coordinated effort to organize a town wide trick or treating this year due to COVID. The Board also suggested that residents choosing to trick or treat this year, do so between the hours of 5-7 p.m. and be respectful of those homes that choose not to participate. Chairwoman Peabody stated that the town should not designate Mad River Road for trick or treating. The Board agreed.

The Board discussed encouraging residents to participate in the trunk or treat event at the Sugar Shack in place of door to door trick or treating.

**MOTION: “To move forward on the town sanctioned trunk or treat event to be held at Benton’s Sugar Shack field on October 31, 2020, with a time to be determined.”**

Motion: J. Monti

Seconded: B. Benton

Discussion: Chief Miller will contact prior volunteers to gather support. B. Benton stated that volunteers will be needed to direct the flow of traffic at the field. Selectman Monti recommended posting this need on the website and Chief Miller will provide an electronic sign up form for volunteering. Chairwoman Peabody urged that social distancing and mask wearing needs to be a priority.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn - abstained, Joe Monti – yes.

**Motion Passes: 3 – Yes, 0 – No      Abstained: 1**

**MOTION: “To not sanction Mad River Road as a town trick or treating destination this year. To post this information on the town website and any other means of advertising within town.”**

Motion: J. Monti

Seconded: B. Benton

Discussion: B. Benton requested a public notice requesting that residents be respectful of others that choose not to participate in trick or treating.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn -yes, Joe Monti – yes.

**Motion Passes: 4 – Yes, 0 – No      Abstained: 0**

## **Department Updates:**

### *Police Department*

*Chief Miller presented a monthly department update:*

- Chief Miller stated that Plymouth Dispatch has not released the call service reports yet.
- 12 arrests have been made
- The department has completed many investigations and 12 search warrants. Chief Miller commended the officers for their work.
- The officers have been practicing safe distancing while on calls
- The department is organizing a volunteer effort to remove garbage on certain areas of roads in town.
- Election coverage may require overtime for officers.
- Brian Regan apologized that he cannot continue to assist with the Gazebo project, and it has been handed over to Chief Miller. Chief will continue to work on this project.
- Chairwoman Peabody asked for an update on the cat complaints on Banjo Road. Chief Miller reported that the cat owner has vaccinated 6 of the 7 cats and they are being kept in the house. The 7<sup>th</sup> cat is unaccounted for at this time. The Board will discuss this further in nonpublic.



- Selectman Monti asked when the new police officer will complete the academy. Chief Miller stated that the officer should complete the academy in December and will then complete a 12-week field officer training with the Thornton Department.

### *Fire Department*

#### *Chief Defosses presented a monthly department update:*

- The department has responded to 853 calls in 2020.
- September would typically be a decline in calls for service, but this year has not shown too much of a decrease.
- The call types are about 50% medical and 50% fire related.
- Chief Defosses stated that a burn ban has been placed for all towns in the area. The department is educating the residents on the dangers of starting a wildfire. Selectman Sabourn stated that the fire department is following the correct protocols considering the shortage of ground water due to the lack of rain. Selectman Monti asked if the Chief has a list of private properties with ponds that could be used to fight fires if needed. Chief Defosses stated that he does not have a comprehensive list at this point, but this is a good idea to consider. Dry Hydrants have been discussed in the past. Selectman Monti suggested looking into the benefits of additional dry hydrants. Selectman Sabourn discussed the additional maintenance that is required for dry hydrants.
- The department will be advertising for a vacant position. There is a staff shortage in the EMS department currently.
- Chief Defosses stated that Captain Dave Lavoie, who passed away last November, was inducted this weekend into the National Fallen Firefighters Memorial.
- Selectman Monti stated that the percentage of the total medical calls continue to increase monthly. He asked if the increase in medical calls are related to the large increase in tourists in September. Chief Miller replied that some calls have been with non-residents, but the medical calls are predominantly for residents.
- Discussion was held on providing access to an AED in the Millbrook area.
- Selectman Monti likes the month to month statistic report from the fire chief.
- Selectman Sabourn referred a question from a resident to the fire department for the installation of a wood stove. Selectman Sabourn stated that the resident was told by the fire department that he did not need an inspection of the installation. Chief Defosses explained that the department will inspect if requested by an insurance company and that the department staff most likely asked the resident installation questions before allowing them to move forward without an official inspection. Selectman Sabourn suggested that the fire department revisit this request and provide an inspection to alleviate any future issues.

## *Transfer Station*

*Transfer Station manager Steve Chiocca presented a monthly department update:*

- The first Advisory Committee meeting was held September 30<sup>th</sup>. The next meeting will be held on October 14 and will be scheduled monthly thereafter.
- \$6,800 in revenue is expected for the load of cans.
- \$1,800 in revenue was received for 300 units (refrigerator and ac).
- The metal company will be removing all the metal material. S. Chiocca is estimating a total of 90-100 tons of metal. There will be some minimal revenue. Once the metal pile is removed, there will be a closed container set up to avoid storing the metal on the ground.
- S. Chiocca contacted Campton/Thornton fire department regarding the brush pile. The governor has placed a fire ban for this area which is preventing the Transfer Station from burning brush. S. Chiocca is concerned that burning the brush pile could pose a fire safety risk. Discussion was held regarding purchasing a woodchipper in the future to provide an alternative means of disposing of resident's brush.
- Social distancing is being practiced at the transfer station.
- Transfer Station employees have issued over 800 transfer station permits.
- There has been an influx in the amount of trash since COVID, including house and garage clean outs, as well as construction debris.
- S. Chiocca requested authorization to spend funds budgeted for maintenance to include insulating the recycle center and making repairs to create more efficiency. The recycling center door needs to be replaced. An exterior door purchased from home depot is about \$250. He would also like to purchase a piece of additional countertop to extend the desk area. The old overhead door seals are dry cracked, and weather rotted. The Board agreed to these upgrades as long as the expenses are within his budget allowances.
- Arrow Equipment completed an annual cleaning of the waste oil furnace. The chamber has cracks in it and needs to be fixed to prevent exposure of carbon monoxide. The burn chamber is under warranty, but it will cost about \$1500 in labor costs. Selectman Monti asked why the town would need to pay for labor costs if the unit is under warranty. S. Chiocca will look further into the warranty terms.
- No applications have been received for the part-time position open at the transfer station.

Selectman Gaites arrived at the meeting at 12:55 p.m.

### **TA REPORTS:**

A State of NH application for a Road Race has been processed through the Thornton Police Department. A copy was provided for the Selectboard for informational purposes.

Michael Moser from the NH DOT would like to meet with the Board to discuss a bridge project across from Goose Hollow Campground on November 18, 2020. Mr. Moser would like to meet with the Board before the state holds their public hearings. TA Shepard provided information on the proposed bridge work. The Board agreed.

Desiree Mahurin and Town Clerk Donna Monti discussed the closing the town office early on November 3 as discussed at the previous board meeting. After their discussion, they agreed to close the office at 4:00 p.m. rather than 6:00 p.m. The early closure will be posted on Facebook and the town website. The absentee ballots can only be dropped off at the polling location until 5:00 p.m. D. Mahurin will check the mail when it arrives in the afternoon and contact the town clerk if there are any ballots received.

The town has received the entire funding for the GOFFER Grant as reimbursement. The town was able to utilize the full amount of the grant.

The Board had appointed Paula Roberge as a ballot clerk last meeting, and she has since decided to not volunteer. The moderator is working on finding a replacement.

TA Shepard informed the Board that the town has deeded four properties for tax liens to include properties on Knight Road, NH Route 175, Smokerise Lane, and Judges Road. The deeds have been recorded and letters to the previous owners will be prepared to offer a tax repayment agreement. If the occupants do not request a meeting with the Board or a tax payment agreement, the town will begin the eviction process.

TA Shepard stated that Primex requires a Cyber Security Plan. The town's IT provider has also created a Data Disaster Recovery Plan. A draft Cyber Security Plan and Data Disaster Recovery Plan was submitted for the Selectboard to review. Lakes Region Computer, LLC, the IT company for the town has reviewed and approved these plans. The Board agreed to review the drafts and discuss this further at their next meeting. Selectman Monti requested a copy of the template for the Cyber Security Plan that was received from Primex.

TA Shepard provided a draft response letter relative to the junk yard complaint for 157 Sunrise Hill Road that was discussed last meeting. Selectman Sabourn stated that there were other complaints that included medical materials and construction debris, but he feels that the junk yard ordinance covers all of these concerns. The Board signed the letter.

Brad Benton and Jack Gaites visited Pemi-River Campground on Friday for a site visit in response to a complaint received regarding potential building activity at the property. B. Benton stated during the site visit, he noted that the only activity on the property is brush clean up as a result from a logging project. There is no other building activity at the property.

### **Selectmen Presents**

Selectman Sabourn discussed an application for voluntary merger to be submitted to the Planning Board from Joe Frazier. Mr. Frazier has decided to merge his two properties on Judges Road. The law has been updated to require that the mortgage holder approve the merger. Selectman Sabourn provided an updated voluntary merger application form that includes the mortgage holders signature. The Board agreed to have the Planning Board review and approve the new form.

Selectman Sabourn recommended changing the fee schedule for certain Planning and Zoning Board applications. Selectman Monti agrees that the fees for zoning and planning board applications should be increased. The board agreed to review the fees at a later date.

**Non-public pursuant to RSA 91-A: 3, II (a)(I)**

**1:20 p.m. MOTION: "To enter into non-public session under RSA 91-A:3, II (a-reputation and I-legal)."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,  
Joe Monti – yes, Jack Gaites - yes.

**Motion Passes: 5 – Yes, 0 – No Abstained: 0**

**1:50 p.m. MOTION: "To exit non-public session."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,  
Joe Monti – yes, Jack Gaites - yes.

**Motion Passes: 5 – Yes, 0 – No Abstained: 0**

Selectman Benton asked if TA Shepard could have the Cleaning Company clean the bugs out of the overhead light fixtures in the meeting room. TA Shepard will contact the cleaning company.

**1:51 p.m. MOTION: "To adjourn."**

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Joseph Monti – yes,  
Jack Gaites – yes, Roy Sabourn – yes.

**Motion Passes: 5 – Yes, 0 – No**

Respectfully submitted,

Jessi Fleury  
Board Secretary