



TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: _____
BOS Initial: MS
Rec'd by Town Clerk on: 7/12/21
Town Clerk Initials: Debra TC

Board of Selectmen Meeting Minutes June 16, 2021

3:00 p.m. Chairman Roy Sabourn opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

This meeting was held at the Thornton Town Hall and via Zoom. The Zoom code was referenced on the posted agenda.

ROLL CALL: Chairman Roy Sabourn, Vice-Chairman Joseph Monti (entered at 3:24 p.m.), Selectwoman Marianne Peabody, Selectman Brad Benton, and Selectman Peter Laufenberg.

STAFF PRESENT: Debra Shepard, Town Administrator; Kerrin Randall Board Assistant

OTHERS PRESENT: Scott Lees, US Forest Service, Brook Brown US Forest Service, TSM Steve Chiocca, RA John Kubik, Asst. RA Bruce Rogers

OTHERS PRESENT VIA ZOOM: Ron Sykes

Recorder start at 3:09 p.m.

MOTION: "To approve the Board of Selectmen minutes of June 2, 2021 as presented."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Peter Laufenberg – yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

MOTION: "To approve the Board of Selectmen non-public minutes of June 2, 2021 as presented."

Motion: M. Peabody

Seconded: P. Laufenberg

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Peter Laufenberg – yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

Manifests

MOTION: "To approve the payroll manifest dated 6/18/2021 in the amount of \$43,544.32."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – abstained, Roy Sabourn – yes, Peter Laufenberg – yes.

Motion Passes: 3 – Yes, 0 – No

Abstained: 1



TOWN OF THORNTON BOARD OF SELECTMEN

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

MOTION: "To approve the vendor manifest dated 6/18/2021 in the amount of \$331,527.80."

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Peter Laufenberg – yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

Consent Agenda

R. Sabourn stated item number one (1) was pulled to be discussed in non-public session.

~~1. Certificate of Appointment for Joseph Monagle to the Zoning Board of Adjustment as an Alternate with a term to expire on June 16, 2022.~~

2. Abatement Requests – Goose Hollow Campground – Michael and Robin McCarthy, \$25.25; Pemi River Campground - John Everton and Debra Pitts, \$47.36.

3. ZCA 2021-50, Craig Antonides Trust, PID 13-6-14, 92 Judges Road.
Description: 12x16 kitchen addition.

4. ZCA 2021-51, Raylynn Tustin and Maxwell McNealy, PID 15-4-54, Logan Street.
Description: 28 x 58 SF 3 Bedroom Modular Home.

5. ZCA 2021-52, Thomas O'Neil and Lynn Jenkerson, PID 16-6-33, 132 Upper Mad River Road. Description: 12x20 Shed.

6. Abatement Request – White Mountain Escapes LLC – Horizon Drive – PID 17-14-015-H4, 17-14-015-H5 and 17-14-015-H6. Recommended per assessor in the amount of \$5,158.00 P01 and \$3,897.00 P11 WEVD.

MOTION: "To approve the consent agenda as presented."

Motion: B. Benton

Seconded: P. Laufenberg

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Peter Laufenberg – yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

Consent Agenda approved for June 16, 2021.

R. Sabourn stated Lance and Tonia Keene, property owners on Orris Road are building a 'castle' and their ZCA and state permits have expired; building of the 'castle' has continued past the expiration dates. R. Sabourn stated Mr. and Mrs. Keene came before the Board previously and stated the project would take years to complete, and the building of it has been well documented through social media, a website, and was recently on NH Chronicle. He asked the Board if the Keenes should resubmit new ZCA and state permits with construction plans.

Discussion ensued.



TOWN OF THORNTON BOARD OF SELECTMEN

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

The Board agreed that new ZCA and State permits are to be submitted for the 'castle' being built at 342 Orris Road [Tax Map 12, Lot 1-9]. A standard letter stating construction will stop until such permits are completed will be sent to Lance and Tonia Keene.

Town Administrator (TA) Presents

TA Shepard distributed copies of the updated budget.

TA Shepard stated Town Counsel drafted a letter to Brian Lash of LCJ Holdings, LLC for payment of fees and fines accrued by Owl's Nest Resort relative to the Hotel Village Cease and Desist.

MOTION: "To approve and send the letter to Brian Lash of LCJ Holdings, LLC for payment of fees and fines accrued by Owl's Nest Resort."

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Peter Laufenberg – yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

TA Shepard stated the discussion of the Campton-Thornton Fire Department will take place on July 19, 2021 at the Campton Town Hall. Mr. Laufenberg asked that this topic be first on the agenda at the meeting. TA Shepard stated she will request this to Campton.

J. Monti entered the meeting at 3:24 p.m.

TA Shepard stated K. Randall created a map showing all homes located in the Thornton Gore Road area of Thornton. This information will be forwarded to Comcast to assist them with their assessment of that area to see if the number of homes meets their criteria to bring cable into that area of town. TA Shepard shared the map with the Internet/Cable Committee.

White Mountain National Forest – Thornton Gore Road Bridge

R. Sabourn welcomed Brook Brown and Scott Lees of the US Forest Service at 3:30 p.m.

R. Sabourn summarized that the US Forest Service plans to have a temporary bridge on Thornton Gore Road for timber trucks to have access to the National Forest for cutting; the current bridge in place has been red-listed by the State. The temporary bridge will be installed for a period of five (5) years. He stated the Town of Thornton would like this bridge to remain in place for an additional three (3) years in order for the town to raise funds to build a permanent bridge in place of a red-listed bridge.

R. Sabourn stated a resident approached him with concerns of runoff from the temporary bridge going onto his property.

R. Sabourn stated the Town has a concern with liability; if someone is injured on the temporary bridge (crashes, falls, etc.) who is responsible?

B. Brown stated she does not have an answer to the liability concern presently, but she will reach out to Counsel and get back to TA Shepard.



TOWN OF THORNTON BOARD OF SELECTMEN

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

The Board reviewed the plans for the temporary bridge. J. Monti asked how high the guardrails on the bridge are. S. Lees stated the temporary bridge guardrails meet the OSHA standards and all other components of the bridge are subject to the same federal regulations as larger structures. He stated the bridge will be inspected every two (2) years for safety per federal law.

P. Laufenberg asked if the Town would need to pay the Forest Service to use the bridge. B. Brown stated yes, but an agreement can be made to barter services rather than pay fees.

S. Lees stated once a timber company signs on to cut, they have five (5) years to complete the cutting; this could mean that the bridge will not be installed immediately after an agreement is met for timber.

Discussion ensued.

J. Monti asked if there was anything preventing the town from installing the bridge before the loggers. He asked if the Town could work with the Forestry Service and secure a ten (10) year contract for use of the bridge.

S. Lees asked what it would cost the Town to install the bridge. RA Kubik stated the cost of transportation would be the only additional cost he can estimate at this time.

R. Sabourn asked if an engineer could be on site to ensure the bridge is installed properly if the Town chooses to install it. S. Lees stated an engineer would be on site regardless of who installed the bridge. He stated the bridge would be inspected every two (2) years for safety. S. Lees stated he will confirm this with Forestry Counsel.

R. Sabourn asked when the bridge is estimated to arrive from fabrication. S. Lees stated it could take six (6) months, give or take a few weeks, for the bridge to be constructed. He stated the delivery address could be changed to Thornton, rather than their storage yard.

J. Monti asked if the timber sale falls through after the bridge is installed by the Town, what will happen to it.

S. Lees stated a project agreement and road agreement will need to be signed prior to installation; once signed, the bridge will remain in place based on the agreements.

S. Lees stated agreements are done in five (5) year terms and can be renewed. He stated if the Town knows how long they will want the bridge, they can apply for multiple terms.

S. Lees reviewed the bridge plans and stated there are no abutments needed for this type of bridge.

J. Monti asked if the Town could potentially purchase this bridge. S. Lees stated yes, but it is not an easy process.

S. Lees distributed examples of the road agreement and project agreement.



TOWN OF THORNTON BOARD OF SELECTMEN

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

R. Sabourn asked that S. Lees and B. Brown investigate the liability concern and asked RA Kubik to investigate costs for materials, time, and out of pocket to the Town to install and remove the bridge.

R. Sabourn thanked S. Lees and B. Brown for their time and attendance.

S. Lees and B. Brown exited the meeting at 4:19 p.m.

Highway Department Truck

RA Kubik stated he put out bids for a Ford F-550 truck to three (3) dealerships and only one, Irwin Ford, responded. The dealership stated the truck would not be available for at least six (6) months as all new trucks, nationwide, are waiting for a computer component.

RA Kubik stated the price from the dealership that responded is comparable to years past, with no major price jumps. He stated this truck is the same truck that has been ordered before.

TA Shepard stated RA Kubik is seeking permission from the Board to order the truck now, with all accessories needed to completely outfit the truck. RA Kubik stated that he thought the price quoted will be locked in from the dealership once ordered, even if the truck is not received for several months.

TA Shepard stated there is money in the Highway CIP to purchase this truck in 2021.

MOTION: "To allow the Highway Department to purchase a Ford F-550 from Irwin Ford with all accessories needed to completely outfit the truck from the 2021 CIP."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, J. Monti – yes, Peter Laufenberg – yes.

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

Northeast Resource Recovery Association (NRRA) Agreement

TSM Chiocca stated this is an agreement for processed glass aggregate that is renewed every year.

MOTION: "To renew the Northeast Resource Recovery Association (NRRA) Agreement."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, J. Monti – yes, Peter Laufenberg – yes.

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

Warrant for Unlicensed Dogs

TA Shepard submitted the unlicensed dog warrant from Interim Town Clerk P. White; 502 licensed dogs and 102 unlicensed dogs. TA Shepard stated the list of unlicensed dogs will be given to the Police Department to move forward with this process.



TOWN OF THORNTON BOARD OF SELECTMEN

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

MOTION: "To approve the Warrant for Unlicensed Dogs."

Motion: M. Peabody
Seconded: P. Laufenberg
Discussion: None.
Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, J. Monti – yes, Peter Laufenberg – yes.

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

Credit Card Policy

TA Shepard stated the Town Auditors asked that a policy relative to use of the Town Credit Card be adopted by the Board of Selectmen. She stated that this is a fairly simple proposed policy since the Town of Thornton only has one credit card and it is used by staff, under the direction of the TA.

MOTION: "To approve the Credit Card Policy as presented."

Motion: P. Laufenberg
Seconded: M. Peabody
Discussion: None.
Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, J. Monti – yes, Peter Laufenberg – yes.

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

TSAC Recommendations and Draft Ordinance

R. Sabourn asked that the major points in the draft ordinance be discussed at this time; further discussion may require a separate work session.

TA Shepard and TSM Chiocca agreed to go over the draft ordinance in more detail and present any proposed changes to the Board at a later date.

P. Laufenberg stated there are four major points for discussion: bags, temporary permits for contractors, local trash haulers, business trash, and transferable permits.

Bags

TSM Chiocca stated requiring clear and/or white bags will help with ensuring that non-trash items (recycling, hazardous materials, etc.) will not be thrown in the hopper. He stated that all trash needs to be in bags, not loose.

Discussion ensued.

The Board suggested that white and/or clear bags be required at the and that all trash must be bagged.

Temporary permits for commercial contractors

P. Laufenberg stated the proposed permits for commercial contractors would help limit the amount of construction debris at the transfer station and will encourage contractors to get dumpsters.



TOWN OF THORNTON BOARD OF SELECTMEN

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

J. Monti stated commercial contractors should be prohibited from using the transfer station. He stated if a resident is doing a home improvement project, they have the right as a resident to use the transfer station for their debris.

Discussion ensued.

TSM Chiocca stated there are some HOA that do not allow dumpsters. P. Laufenberg stated a commercial contractor permit would give access to the transfer station, but additional fees for materials will need to be paid.

The Board suggested a fee schedule be put in place for commercial contractors, beginning January 1, 2022. Beginning January 1, 2023 commercial contractors will be prohibited from using the transfer station for construction debris.

Local trash haulers

P. Laufenberg stated local trash haulers would be charged a fee to use the transfer station and would need to have a different color sticker.

TSM Chiocca stated the local trash haulers would need to provide a list of their customers' addresses to ensure that the trash going in to the transfer station is coming from Campton, Thornton, or Ellsworth.

The Board agreed with the proposal for the local trash haulers, as they provide a service to the community where larger scale commercial trash haulers cannot get to.

Business trash

P. Laufenberg stated that the transfer station is meant for residential trash, not businesses trash. He stated businesses would be charged a fee to use the transfer station.

A lengthy discussion ensued.

The Board suggested a fee schedule be put in place for businesses using the transfer station, beginning January 1, 2022. Beginning January 1, 2023 businesses will be prohibited from using the transfer station for their trash.

Transferable permits

B. Benton stated he is opposed to transferable permits.

P. Laufenberg stated there have been several instances where immediate family members use a common house throughout the year; if the homeowner grants permission for family members to use their home for a vacation (example), that immediate family member could have access to the transfer station.

Discussion ensued.

The Board suggested, should a homeowner authorize immediate family members use of their home in Thornton, those immediate family members may obtain a sticker for the transfer station when the following are provided at Town Hall or the Transfer Station:



TOWN OF THORNTON BOARD OF SELECTMEN

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

- Notarized authorization for use of the residence from the homeowner.
- Photo identification
- Proof of vehicle registration the sticker will go on.

Board of Selectmen Item Discussions

None

Non-public pursuant to RSA 91-A: 3, II (c)

MOTION: "To enter into non-public session at 5:41 p.m."

Motion: R. Sabourn

Seconded: J. Monti

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Peter Laufenberg - yes.

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

MOTION: "To exit the non-public session at 5:51 p.m."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Peter Laufenberg - yes.

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

MOTION: "To adjourn at 5:53 p.m."

Motion: R. Sabourn

Seconded: P. Laufenberg

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Peter Laufenberg - yes.

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

Respectfully submitted,

Kerrin Randall
Board Assistant