



## TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: 14 July 21  
BOS Initial: [Signature]  
Rec'd by Town Clerk on: 7/14/21  
Town Clerk Initials: [Signature]

### Board of Selectmen Meeting Minutes June 30, 2021

10:00 a.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, Selectwoman Marianne Peabody, Selectman Brad Benton, and Selectman Peter Laufenberg

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

**OTHERS PRESENT:** Candace Andrew; Judy Rolfe, Events Committee Chair

**OTHERS PRESENT VIA ZOOM:** Tim McGrath, Cable/Internet Committee Chairperson, Bob Gallagher, Bob Murray

**MOTION: "To approve the Board of Selectmen minutes of June 16, 2021 as amended."**

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: J. Monti questioned if the board reached a consensus relative to how business trash would be handled in the proposed transfer station ordinance. Mr. Laufenberg and Mr. Benton confirmed that they felt the board did reach a decision relative to business trash.

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**

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

**MOTION: "To approve the Board of Selectmen non-public minutes of June 16, 2021 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**



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### Manifests

**MOTION: "To approve the payroll manifest dated 7/02/2021 in the amount of \$30,350.64."**

Motion: J. Monti  
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**

**MOTION: "To approve the vendor manifest dated 7/02/2021 in the amount of \$594,987.80."**

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

**Motion Passes: 4 – Yes, 0 – No                      Abstained: 1**

**MOTION: "To approve the LCJ Holdings, LLC manifest dated 7/02/2021 in the amount of \$685.50."**

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

**Motion Passes: 4 – Yes, 0 – No                      Abstained: 1**

Mr. Sabourn stated there was a mix up with paying the GMI paving invoice; the invoice was sent to Road Agent Kubik by email. Unfortunately, it went into his spam email and he never saw it. In an effort to pay the invoice timely, a separate check run was done last week and initially three (3) selectmen signed off on it, and now all five (5) have approved the payment in the amount of \$101,359.60.

### Consent Agenda

1. Certificate of Appointment for Leslie Rosewarne to the Events Committee with a term to expire when rescinded.
2. Certificate of Appointment for Maureen Patti to the Zoning Board of Adjustment as an alternate with a term to expire on June 30, 2022.
3. NH Department of Revenue Administration – PA-28 Inventory of Taxable Property Form for 2022.
4. ~~ZCA 2021-53, Bruce and Candace Andrew, PID 6-1-3, Stone Dam Road.  
Description: 14x76 2 Bedroom Modular Home with 24x24 Garage.~~
5. ZCA 2021-54, Todd Workman, PID 11-2-3-1, 1833 NH Rte. 175.  
Description: 10x20 Shed.



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6. ZCA 2021-55, Robert and Miriam Chandler, PID 17-13-3-2, Welch View Drive.  
Description: 64x28 2 Bedroom Modular Home with attached garage.
7. ZCA 2021-56, Gary Anderson, PID 16-7-17, 37 Anderson Hill Road.  
Description: 8' high x 100' long privacy fence.
8. ZCA 2021-57, David McGraw, PID 7-2-13-33, Joshua's Lane.  
Description: 28x32 2 Bedroom SF Home.

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

Motion: M. Peabody  
Seconded: P. Laufenberg  
Discussion: J. Monti asked that ZCA 2021-53 be removed for further discussion.

J. Monti asked the applicant, Candace Andrews, who was present at the meeting, about the frontage of her property, as the ZCA shows no frontage in Thornton. C. Andrews stated the road frontage is in Woodstock, but where the house is being built is in Thornton.

She explained the configuration of the lot and how part of it is in Woodstock but the majority is in Thornton. She stated she has been working with RA Kubik and the Woodstock RA relative to obtaining a driveway permit. The driveway permit has been issued to her by the Town of Woodstock.

R. Sabourn stated this Zoning Compliance Application submitted by Candace Andrews is not new information and he has been aware of it for some time.

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**

**Consent Agenda approved for June 30, 2021, including item 4, ZCA 2021-53.**

**Agenda Items:** (no public input unless approved by the Chairman)

### **10:30 AM      Monthly Reports by Department:**

#### Transfer Station

TSM Chiocca stated there are no major updates to review with the Board. He stated they are currently short staffed, as it is summer and staff members are taking vacation time.

#### Transfer Station Truck Bids

TSM Chiocca stated he sent out requests for bids from three (3) dealerships and received two (2) responses; the quotes are within \$30.00. He stated he would like permission to order the truck sooner, rather than later as the earliest the truck would arrive is December. He stated that the Town of Campton has indicated they will fund their share of the vehicle in 2021.

R. Sabourn asked if the plows are the same and TSM Chiocca stated yes; the truck will fit an eight (8) foot plow regardless of brand.



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J. Monti asked if the quotes given are the guaranteed price when purchased; if we agree to a price now, will that price be the same when the truck arrives?

TA Shepard confirmed that State bids are locked in at the time of purchase. R. Sabourn asked that TSM Chiocca get written confirmation of the guaranteed price.

**MOTION: "To accept the bid from Grappone Ford for the purchase of a Ford F-250 truck for the transfer station upon written confirmation that the price quoted today be honored when the truck is delivered."**

Motion: J. Monti

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**

TSM Chiocca stated an updated version of the TS Ordinance is before the Board to review. He stated this version is spot on. R. Sabourn asked that the Board review the version in front of them for further discussion at the next meeting.

J. Monti stated at the last meeting he had requested facts and data from TSM Chiocca to help track accurate costs and materials that travel through the transfer station. TSM Chiocca stated he is happy to provide that information to the Board, but with the day-to-day operations at the transfer station, he finds that he sometimes has difficulty finding the time to complete such administrative tasks. He stated he will attempt to get the information together for the board.

TSM Chiocca exited the meeting at 10:38 a.m.

### Highway Department

RA Kubik stated the estimated costs for having the Town install the temporary bridge on the Thornton Gore Road is around \$5,000.00 for materials and installation.

R. Sabourn asked if the concerns of Mr. Collie regarding ponding and water runoff coming off the bridge onto his property had been addressed. RA Kubik stated once the bridge is in place and proper crowning on the road is done, there should not be any problems with excessive runoff.

RA Kubik stated town culverts have been replaced on Waterthorne and River Run and crossings for those culverts have been paved. He stated he is waiting to hear back from GMI to complete the paving projects.

J. Monti asked if the Forestry Service had any updates on the bridge; RA Kubik stated no.

RA Kubik exited the meeting at 10:46 a.m.

### Fire Department

Chief Defosses submit a report of monthly calls and included the hours in which members of the fire department aided at COVID-19 vaccination sites. He stated the amount of calls was average, and the department was called out three (3) in one day for ambulance services.



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Chief Defosses stated they are still in the process of hiring more staff; there were six (6) applicants, three (3) of which were qualified and offered positions, two (2) of the applicants did not accept the offer, and one (1) was hired.

Chief Defosses stated the station was scheduled to begin 24-hour coverage in July, but cannot at this time due to the staffing shortage. Mr. Laufenberg asked if the two (2) applicants that turned down the position did so for financial reasons. Chief Defosses stated that he believes so.

J. Monti asked if the pay rate and benefits packages were comparable to other departments in the area; Chief Defosses stated that he felt they were.

R. Sabourn asked if the department was getting reimbursed for their service to the COVID-19 vaccine clinics; Chief Defosses stated that they were reimbursed by the State of NH.

Chief Defosses stated the department attended a training with arborists for tree rescues, as well as an in-house training session.

Chief Defosses stated Lakes Region Mutual Fire Aid dispatch is installing a radio site on Mt. Tecumseh and will be sharing a site with Plymouth dispatch, as they share a radio signal. He stated this site will improve coverage for emergency services.

Chief Defosses reported to the Board that there has been a significant amount of 911 addresses being assigned.

R. Sabourn asked if the department has been working on obtaining CDL licenses. Chief Defosses stated there is one (1) person currently taking a CDL class, and another who already has one.

Chief Defosses exited at 11:06 a.m.

### **Police Department**

Chief Miller stated the caseload in the department has been steady. He stated the dispatch calls have decreased, as the new phone system is filtering calls received to the proper parties.

Chief Miller stated while Thornton Central School was open, an officer was there every morning to help with traffic; this will continue in the fall.

Chief Miller stated National Night Out is August 3, 2021, and that the department is looking forward to a great turnout.

Chief Miller stated exams for the position of Corporal were held recently. He stated the candidates were given materials to study beginning in February, with the test being held in May. Chief Miller stated all exams and panels were done without his involvement or input and were conducted by officers from different towns all over the state.

Chief Miller stated based on evaluations, tracking, scores, and interviews, Officer Wood would be the logical candidate. He stated Officer Wood placed first in all exams as well as overall.



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R. Sabourn asked if all candidates believed the testing to be fair and equitable. Chief Miller stated all candidates indicated in the Chief's Interview following the exams that they felt it was a fair and equitable process.

P. Laufenberg asked if Officer Abel, who had been serving with the National Guard, was back on duty with the Police Department. Chief Miller stated Officer Abel was back and would be required to start retraining from scratch, as he did not have sufficient time with the department before he was called out by the National Guard.

Chief Miller exited at 11:20 a.m.

### **Events Committee – Community Concerts**

Judy Rolfe, Chair of the Events Committee, stated the Committee would like to hold community concerts at Benton Field on Sunday nights. She stated these concerts would use local talent, be family friendly, and provide a place for the community to gather.

P. Laufenberg asked if other Committee Events have been well attended. J. Rolfe stated the last event, Discover Thornton, was not well attended. She stated the marketing and advertising of the event could have been better addressed.

Discussion ensued regarding community events being advertised locally and on the Town website.

P. Laufenberg asked if the Events Committee used Facebook to promote their events. J. Rolfe stated they do not have their own Facebook page but do post their events on the Town's Facebook page; TA Shepard clarified that the Board in the past, has required town committees to participate on the Town's Facebook page and has not allowed them to create their own separate pages.

Discussion ensued.

The board agreed that if a committee wants to have its own Facebook page, they must come before the Board to seek permission of the Board to do so. P. Laufenberg stated it is the Events Committee's responsibility to promote their own events and having their own Facebook page would allow them to get more community involvement.

### **MOTION: "To allow the Events Committee to establish their own Events Committee Facebook page."**

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**

B. Benton asked if the Events Committee raises funds at these concerts or other events and does the Committee keep that money for future events. J. Rolfe stated the Committee can raise funds, but has a limited amount of time in which to spend it; at year-end, remaining monies go into the Town general fund. Discussion ensued.



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TA Shepard stated she will talk to the auditor about how funds that are raised can be used by the Events Committee without having to return them to the general fund at year-end.

J. Rolfe stated they are hoping to hold the first concert at the end of July. J. Rolfe thanked the Board and exited at 11:51 a.m.

### **Cable Television Franchise Agreement**

TA Shepard stated the Board requested an update from the Cable/Internet Committee on the pending contract negotiations.

Tim McGrath, Internet Access Committee Chair, participating by Zoom, stated they have a meeting set up with Comcast and Spectrum on July 15, 2021. He stated that Comcast represented to him that even if the contract is not renewed, the agreement will stay in place.

T. McGrath asked if the Board had heard from Comcast relative to the request for service in the Thornton Gore area of town. TA Shepard reported that she has not heard from Comcast but will follow up with them again.

T. McGrath stated the meeting with Comcast and Spectrum will take place at the Town offices. R. Sabourn asked if there were any more questions for T. McGrath; there were none. T. McGrath exited at 11:56 a.m.

### **American Recovery Plan Act (ARPA)**

TA Shepard stated there is money available to towns throughout NH through ARPA; the first step is to decide to apply for the funds. TA Shepard informed the board that she has started to complete the online application for these funds but needs to have two forms signed by the board to continue the process. The application must be submitted by August 18, 2021. As of right now, Thornton will receive \$265,493.00, and there are specific projects that the money can be used for. TA Shepard stated towns have until December of 2024 to commit to how the funds will be spent and must spend the funds in total by December of 2026.

**MOTION: "To authorize Chairman Sabourn to sign the two application forms needed to allow the Town of Thornton to apply for and receive ARPA funds."**

Motion: J. Monti

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**

**MOTION: "To authorize TA Shepard to set up a joint meeting with Grafton County and NHEC officials to discuss broadband options within the Town of Thornton and the possible use of ARPA funds for this purpose."**

Motion: J. Monti

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**



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### **TA presents**

TA Shepard stated the fire truck discussion is scheduled to be held in Campton at their Town Office on Monday, July 19, 2021. The Campton BOS is meeting at 3:30 pm for the months of July and August. TA Shepard will have a definite agenda time for this topic in the near future. Hopefully this item will be first on the agenda.

TA Shepard stated language was added to the Zoning Compliance Application (ZCA) to clarify that fees are per structure, not per parcel.

Discussion ensued.

TA Shepard stated, as an example, if there is a new construction with a deck and garage attached it is considered one (1) structure; if a deck is being replaced and a detached shed is being added, that would be two (2) structures. TA Shepard stated multiple items can be listed on the same ZCA, but each structure will be charged a fee.

P. Laufenberg stated he was unaware of some items that require a ZCA; he replaced windows in his house and was unaware he needed a ZCA.

R. Sabourn stated there are various options and language needs to be created to clarify what is needed for a ZCA and what the fees associated with the various options are.

Desiree Mahurin, entered the meeting to help clarify the process for fees relative to Zoning Compliance Applications.

J. Monti asked if a resident came in today with a new house and attached deck on a ZCA, what would the fee be. D. Mahurin stated, as it is written now, it would be \$200.00. D. Mahurin stated the ZCA needs to be clearer to the homeowner on what fees are being charged and what they are being charged for.

Discussion ensued. The BOS will discuss Zoning Compliance Application requirements and fees at a meeting in the near future. TA Shepard informed the BOS that she is collecting fee schedules from other towns for the BOS to review in relation to the Town of Thornton's fee schedule for possible changes.

### **MOTION: "To approve the added language to the ZCA as presented."**

Motion: R. Sabourn

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**

TA Shepard stated the transfer station ordinance could be voted on at a joint public hearing with Thornton, Campton, and Ellsworth. She stated the meeting would have all three (3) Boards present and they would vote as a whole. TA Shepard stated they are hoping for a mid to late July meeting date.

TA Shepard stated the Board has a letter from NHEC regarding broadband and ARPA funding.





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TA Shepard stated the Board has letters regarding the ZBA appeal hearing of the Vertex tower, as well as an article on the hearing.

TA Shepard stated the tax collector deed notices are going out next week; there are 12 parcels on the list at this time, but the Tax Collector is hopeful that list will continue to decrease as we get closer to the deeding date. She stated that Tax Collector Mahurin has indicated she is on target for a 90% or higher collection rate on the current tax bill.

TA Shepard stated that several Concerned Citizen Complaint forms were submitted to the Board of Selectmen relative to the Pemi River Campground.

R. Sabourn stated he and P. Laufenberg went to Pemi River Campground on Monday, June 28, 2021 to investigate the complaints.

R. Sabourn stated a letter will be sent to the owner of the campground with a copy of the letter being sent to those who filed complaints; the letter is before the Board for review. He stated G. Warren, owner of the campground, explained they were cleaning up trees that were already down from a recent logging project, he was also removing sand and gravel from the property and stumps were being buried.

R. Sabourn stated G. Warren has been working with the State on improving the safety of the rail crossings on his property and the gravel being removed from the property is being used for these improvements.

R. Sabourn stated G. Warren was advised that he can continue the cleanup of previously downed trees, but that he should stop removing gravel and sand and burying stumps until such time as he has the appropriate permits. G. Warren indicated there was a miscommunication between himself and his engineer and he will stop as advised.

R. Sabourn stated a separate issue came up while investigating the campground concerns; an abutter allowed them to go on their property in order to see if they could view the campground. R. Sabourn stated the abutter then asked that they look at a neighboring property that had been dumping rocks into the river.

P. Laufenberg shared photos of the site visit with the Board. He stated the rocks are more like boulders that have recently been placed along the shoreline; smaller rocks that were dumped previously can be seen gathering in the river after being washed away.

R. Sabourn stated he contacted NHDES to see if permits were issued for dumping the rocks and the State had no record of any permits. He stated King Realty is currently listing the property for sale; the realtor was contacted and asked if permits were in place and the realtor indicated they were not aware of any permits.

R. Sabourn stated the dumping of these rocks is an obvious major violation to shoreline protection laws, but he does not believe it is the Town's place to enforce them; he is looking for direction from the Board in how this will be addressed.



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R. Sabourn stated there are no permits on record with the State, there are recent tracks from dump trucks leading to the site, there is at least 400 feet of riverbank disturbed, and this unpermitted work has reportedly been happening for years.

P. Laufenberg stated the Board has an obligation to tell NHDES. He stated he and R. Sabourn were investigating another complaint and came across this one. R. Sabourn, in reviewing the written complaints to the BOS relative to the Pemi Campground, found there was a concern about this property from an abutter.

Discussion ensued.

**MOTION: "To file a formal complaint with NHDES in relation to the Macera property relative to the apparent unpermitted disturbance of the shoreline."**

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**

### **Board of Selectmen Item Discussions**

P. Laufenberg asked how often contractor agreements are looked at. TA Shepard stated each budget season the contracts are reviewed; if any contractors have not been satisfactory, then the contract will go out to bid.

P. Laufenberg asked when the last time contracts went out to rebid. TA Shepard stated that it has been several years and that, in her opinion, the contractors the town uses for professional services are excellent and the relationships they have with the town are very good.

P. Laufenberg stated he sits on another board outside of the Town that has received information about funds which may be available through Governor Shaheen's Office. He was curious if the Town of Thornton received any information about this. He does not want the town to miss out on any opportunities. TA Shepard stated she would look into this and that NHMA is very good about sharing funding opportunities with NH municipalities.

### **Public Forum**

R. Sabourn asked for any public comments; there were none.

**MOTION: "To enter into non-public session at 1:00 p.m."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, J. Monti – yes, Peter Laufenberg - no.

**Motion Passes: 4 – Yes, 1 – No Abstained: 0**



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**MOTION: "To exit the non-public session at 1:08 p.m."**

Motion: P. Laufenberg

Seconded: M. Peabody

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 approve the settlement with Fairpoint Communications."**

Motion: P. Laufenberg

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 accept Police Chief Miller's recommendation to promote Officer Wood to the rank of Corporal at a Grade 9, Step 12 effective July 9, 2021."**

Motion: J. Monti

Seconded: M. Peabody

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 1:10 p.m."**

Motion: J. Monti

Seconded: R. Sabourn

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