



TOWN OF THORNTON BOARD OF SELECTMEN

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Approved on:	7-28-21
BOS Initial:	MP
Rec'd by Town Clerk on:	7/29/21
Town Clerk Initials:	Debra For PW

Board of Selectmen Meeting Minutes July 14, 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: Police Chief Ken Miller, Sargeant Dan Gilman, Officer Jeannine Wood, Library Trustees Diane Gravel and Kate Hadaway

OTHERS PRESENT VIA ZOOM: None

Manifests

MOTION: "To approve the payroll manifest dated 7/16/2021 in the amount of \$32,105.56."

Motion: P. Laufenberg

Seconded: Marianne

Discussion: None

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

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

MOTION: "To approve the vendor manifest dated 7/16/2021 in the amount of \$694,157.49."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

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

Motion Passes: 3 – Yes, 0 – No Abstained: 2

MOTION: "To approve the LCJ Holdings, LLC. manifest in the amount of \$688.91."

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

Consent Agenda

J. Monti asked that ZCA 2021-62, 63, and 64 be removed from the Consent Agenda for further discussion.

1. ZCA 2021-58, Kevin Preston, PID 17-4-33, Sugar Run Road.
Description: 48x26 3 Bedroom SF Home with 2 Car Garage Below.
2. ZCA 2021-60, Anthony & Chloe LaMonica, PID 7-2-13-30, 91 Joshua's Lane.
Description: 10x16 Shed.
3. ZCA 2021-61, Bruce & Catherine Callahan, PID 18-4-2-1, 251 Sandwich Notch Road.
Description: 8x12 Free-Standing Deck with Railings and Pergola.
4. ~~4. ZCA 2021-62, LCJ Holdings, LLC, PID 16-1-7SRCO, Lafayette Road.
Description: 13x42 1 Bedroom Rental Cottage (Nano Unit J) Owl's Nest.~~
5. ~~5. ZCA 2021-63, LCJ Holdings, LLC, PID 16-1-7SRCO, Lafayette Road.
Description: 13x42 1 Bedroom Rental Cottage (Nano Unit K) Owl's Nest.~~
6. ~~6. ZCA 2021-64, LCJ Holdings, LLC, PID 16-1-7SRCO, Lafayette Road.
Description: 13x42 1 Bedroom Rental Cottage (Nano Unit L) Owl's Nest.~~

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

Motion: R. Sabourn

Seconded: M. Peabody

Discussion:

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

Discussion: Relative to ZCA's 2021-62, 63 and 64, LCJ Holdings, LLC, Owl's Nest J. Monti questioned whether LJC Holdings, LLC was adhering to the Subdivision Regulations. R. Sabourn clarified a Notice of Decision from the Planning Board gave approval for the units listed in the ZCA. He stated the Planning Department and AA Mahurin reviewed the conditions of approval from the Planning Board and the ZCAs submitted were complete.

MOTION: "To approve ZCA's 2021-62, 63 and 64."

Motion: R. Sabourn

Seconded: M. Peabody

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 Board of Selectmen minutes of June 30, 2021 as amended."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: R. Sabourn stated he submitted grammatical corrections to K. Randall and the correction had been made.

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 Board of Selectmen non-public minutes of June 30, 2021 as presented.”

Motion: J. Monti

Seconded: B. Benton

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

Update on Keene Castle

R. Sabourn stated Lance Keene has submitted an updated report on his permitting progress; a letter was sent from the BOS to L. Keene informing him that his building permits had expired.

R. Sabourn reviewed the report from L. Keene that indicates his permit applications have been submitted, as well as a timeline for the project moving forward.

R. Sabourn stated L. Keene has a concrete pour scheduled for the first week of August that was planned prior to receiving a cease and desist from the Town. L. Keene is requesting permission from the Board to have this concrete pour occur at the scheduled time. R. Sabourn stated all work at the site has stopped and L. Keene has been very cooperative in correcting his lapsed permits.

MOTION: “To allow Lance Keene to have concrete poured the first week in August.”

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

10:30 AM Officer Wood - Corporal Promotional Ceremony

Police Chief Miller thanked everyone for coming to the promotion ceremony of Officer Jeannine Wood to the rank of Corporal.

Chief Miller stated an extensive exam was conducted over several weeks among three (3) candidates, and Officer Wood had the top scores in all categories and had the highest overall score.

Chief Miller announced the promotion of Officer Wood and her spouse Kathy pinned the badge. Corporal Wood thanked the Board and those in attendance for being present and stated she is proud to be an officer in Thornton.

The Board congratulated Corporal Wood. The Police Department attendees exited the meeting at 10:47 a.m.

Library/School/Town Agreement Discussion

R. Sabourn asked if there were any concerns with specific sections or clarification on certain items.

Diane Gravel, Library Trustee, expressed concern that the library did not get any portion of the grant funding reimbursement and they hope the Town Auditor would question that. D. Gravel also asked if it would be feasible for the Town to plow the library parking lot in the winter. R. Sabourn stated the Town cannot commit to plowing the library due to the number of roads that have to be maintained.

D. Gravel asked if the building project for the school fails, is there a 'Plan B' for the library, as the current building is not going to last. R. Sabourn stated he does not think anybody is going to want to put money into the current library building; if the school building project happens, the library would be in the school.

Discussion followed.

P. Laufenberg stated the costs and types of repairs the library would need cannot be determined until a decision on the school renovation project is made; possibly at Town Meeting of 2022.

R. Sabourn suggested the Library Contract be renewed for three (3) years with a clause that the contract will be re-examined if the school renovation project passes. The Board agreed to this suggestion.

TA PRESENTS

TA Shepard stated samples of forms have been submitted from the White Mountain National Forest (WMNF) for informational purposes. She stated a draft road use agreement is coming. TA Shepard stated WMNF submitted an answer for the question of liability, but she does not feel it gives a clear answer to the town's concern about liability.

TA Shepard reminded the Board that there will be a meeting regarding the Fire Department in Campton at 3:30 p.m. on Monday, July 19, 2021.

TA Shepard stated the Events Committee will have a revenue account set up that will allow them to carry over fundraising monies each year.

TA Shepard submitted the quarterly and monthly revenue reports.

TA Shepard submitted the Tax Collector June report.

TA Shepard submitted an updated budget to date.

TA Shepard stated a police cruiser was going in for bumper repair, as a coyote collided with the vehicle.

TA Shepard submitted a concerned citizen form regarding a short-term rental advertising more bedrooms than the tax card shows; septic system overloading could also be a problem. She stated the Planning Board is looking at rules and regulations to address short-term rentals and would suggest this concern also be shared with the town assessor. Roy Sabourn agreed that would be the right process.

TA Shepard stated the Cable/Internet Committee is meeting on July 15, 2021 with Comcast and Spectrum to discuss the Cable Television Franchise Agreement.

TA Shepard stated the American Recovery Plan Act (ARPA) application has been submitted.

Current Use Fees

R. Sabourn stated Sally Davis brought to the Board's attention that money from current use had not been applied that to conservation monies. TA Shepard stated she has the amount, and a journal entry will be made to bring that account current.

R. Sabourn stated he has a personal problem taking current use penalty money and putting it towards conservation; that money should be used to offset taxes.

TA Shepard stated the Conservation Committee currently receives, per town meeting vote, the first \$1,500 collected in current use penalties.

Discussion continued.

The majority of the board agreed that they have no interest in pursuing any changes to this process at this time.

Transfer Station Proposed Ordinance Amendments

TA Shepard everyone has copies of the Transfer Station Proposed Ordinance (TSO) with redlined comments from R. Sabourn. TA Shepard stated the fee schedule and hours were removed as they are not be part of the ordinance and will be available on town websites and at the facility.

R. Sabourn stated the TSO can be enacted with a joint public hearing and TA Shepard will send to Campton and Ellsworth for review once the Board has made their final corrections/suggestions.

J. Monti stated ordinances must go to Town Meeting per RSA 41: 14-B to be enacted. He asked what the difference between a policy and an ordinance were. TA Shepard stated that she would be happy to get the board a definition for both a policy and an ordinance. She reiterated to the board that town counsel has been very clear that the proposal being discussed is an ordinance and not a policy.

TA Shepard stated Town Counsel has reviewed the process for approval of the proposed Transfer Station Ordinance and has advised that a joint public hearing would be an acceptable way to proceed.

J. Monti stated if the proposal was a policy, the Board would have the authority to change it. He stated the Board cannot change an ordinance.

TA Shepard clarified that the Fire Department Intergovernmental Agreement between the Towns of Thornton, Campton, and Ellsworth, in paragraph 4b, gives selectmen the ability to enact an ordinance if the permission to do so was given to the Board of Selectmen by Town Meeting with an approved warrant article. There is such an approved warrant article for both the Town of Campton and Town of Thornton and it is her opinion, that a joint public hearing between the three (3) towns to enact this proposed ordinance would be an appropriate course of action.

P. Laufenberg confirmed TA Shepard's statement; the intergovernmental agreement states the Boards can pass ordinances when that permission has been given to them by the voters, which they have.

Discussion continued.

J. Monti submitted suggested edits to the proposed TS Ordinance. R. Sabourn asked the Board to review the proposed edits for discussion at the next BOS meeting.

Board of Selectmen Item Discussions

J. Monti asked what the status of the Zoning Compliance Officer was. TA Shepard stated there have been no applicants, and the position will continue to be listed in multiple places.

J. Monti asked what the status of the personnel policy update was that the BOS started to make last year and asked when the Board would revisit them to finish. R. Sabourn stated there are more pressing matters that need to be addressed by the Board now and asked that the personnel policy be added to the September agenda. P. Laufenberg suggested that the board consider creating a subcommittee with two selectmen, the TA and Department Heads to review the personnel policy and to have this subcommittee bring the proposed changes, updates, etc. to the board as a way to streamline this process.

J. Monti asked if a meeting was going to be held to discuss the fee schedule. TA Shepard stated that the process has been to have a public hearing in the fall to discuss all fee schedule proposed changes for all departments.

J. Monti stated that a letter was submitted to the BOS relative to a barn fire and wanted to know if the board ever saw that letter. R. Sabourn confirmed that the letter was received by the Board at the June 16, 2021 meeting.

J. Monti asked what the status of the truck purchase for the transfer station was. TA Shepard confirmed that the truck had been ordered through Grappone Ford.

R. Sabourn stated the price quoted for the plow at the last meeting increased by approximately \$369.00. R. Sabourn asked TA Shepard to poll board members relative to the increase in the price of the plow and how they wanted to proceed. R. Sabourn stated that due to the very limited inventory of trucks, this was a time sensitive situation and a delay could put the delivery of the truck into next year. TA Shepard polled the board and the vote was four to proceed with the order and one to wait. The order was placed for the truck and plow.

MOTION: "To affirm the vote to purchase the truck for the Transfer Station from the June 16, 2021 meeting."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: J. Monti stated he does not believe the vote was appropriate.

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

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

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

MOTION: "To enter into non-public session at 11:50 a.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 12:04 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

MOTION: "To adjourn at 12:04 p.m."

Motion: R. Sabourn

Seconded: B. Benton

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