



**TOWN OF THORNTON  
BOARD OF SELECTMEN**

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

Approved on:	9-22-21
BOS Initial:	mf
Rec'd by Town Clerk on:	9-23-2021
Town Clerk Initials:	pdw

**Board of Selectmen Meeting Minutes  
September 8, 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

**ABSENT:** None

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

**OTHERS PRESENT:** Steve Babin, Candice Andrews, Road Agent Kubik, Asst. Road Agent Rodgers, Chief Miller, Chief Defosses, Myrtle Lewis, Jerry Sobolewski, Al Lewis

**OTHERS PRESENT VIA ZOOM:** None

**Manifests**

**MOTION: "To approve the payroll manifest dated 9/10/2021 in the amount of \$31,806.77."**

Motion: M. Peabody

Seconded: B. Benton

Discussion: J. Monti noted there were two (2) employees who, through no fault of their own, were out of the office for about a week awaiting COVID-19 test results. He stated that he was not opposed to paying those employees for missed time but felt the entire board should have been consulted. M. Peabody stated she did not agree with Sel. Monti. Chairman Sabourn stated that he agreed with TA Shepard's recommendation to pay part time staff for their missed time, and he made the decision to do so.

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

**MOTION: "To approve the vendor manifest dated 9/10/2021 in the amount of \$221,087.45."**

Motion: P. Laufenberg

Seconded: R. Sabourn

Discussion: None

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

**Consent Agenda**

1. ZCA 2021-75, Stephania McIntyre, PID 6-9-9, 10 Hebert Lane.  
Description: Install solar array on roof of existing house.
2. ZCA 2021-77, Deborah S.W. McKinnon, PID 16-1-25, 165W Spur Road  
Description: 15x30 Inground Pool.

3. ZCA 2021-79, Diane M. Culhane-Hayden, PID 8-9-11, 37 Fischer Mtn. Rd.  
Description: 10x28 Deck
4. Capital Reserve Fund – Fire Rescue Vehicle, Equipment and Major Maintenance  
Lifepak 15 Cardiac Monitors – 45% Thornton - \$2,619.16
5. Events Committee Appointment – Crystal Luckern – term shall be until rescinded.

**MOTION: “To approve the Consent Agenda for September 8, 2021 as presented.”**

Motion: P. Laufenberg

Seconded: B. Benton

Discussion: None

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

### **Meeting Minutes**

**MOTION: “To approve the Board of Selectmen minutes of August 25, 2021 as amended.”**

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None

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

**MOTION: “To approve the Board of Selectmen non-public minutes of August 25, 2021 as presented.”**

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None

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

### **TA PRESENTS**

TA Shepard stated the winter sand invitation to bid has gone out and will be in the paper next week.

TA Shepard stated a concerned citizen form was received regarding the Pemi River Campground. R. Sabourn stated he and M. Peabody visited the property and spoke with the owner of the campground. Unfortunately, due to the time of the visit, they were not able to view the property but did have a conversation with the other who confirmed that he is continuing to clean up brush and debris from a previous logging project and that no new construction is occurring.

TA Shepard provided the board with a copy of a letter signed by R. Sabourn as ZCO and sent to T. King on Mountain View Drive asking them to stop construction on their property of a small outbuilding until such time as they secure a Zoning Compliance permit.

TA Shepard shared information with the board relative to a presentation on broadband by NHMA on September 27, 2021.

TA Shepard provided the board with copies of three different letters from concerned citizens and/or residents regarding Vertex Tower Assets, LLC.

TA Shepard wanted to make the Board aware that Steven Babin, Chairman of the Planning Board, has raised concern on the Transfer Station Ordinance (TSO) moving forward without having gone before the Planning Board. TA Shepard stated Town Counsel has advised that the TSO does not need to go before the Planning Board, as it does not pertain to a Site Plan or Subdivision.

S. Babin stated he wanted to acknowledge that lots of good work has been done on the TSO. He stated that he believes according to NH RSA 674:54, the Planning Board should have been afforded the opportunity for a non-binding discussion on the use of the solid waste facility prior to any ordinances being written. S. Babin stated he will write up a clearer description of his concerns for the Board to review.

The Board respectfully disagreed with S. Babin's position that the TSO had to go before the Planning Board as these are operation changes and not physical site plan changes. The Board advised that the Intergovernmental Agreement between Thornton, Campton, and Ellsworth grants them the authority to create ordinances relative to the operation of the Transfer Station Facility.

R. Sabourn stated any members of the Planning Board are welcome to come to the Public Hearings on the proposed Transfer Station Ordinance scheduled for September 20<sup>th</sup> in Campton and September 29<sup>th</sup> in Thornton.

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

**Town of Thornton Conservation Commission (TTCC) – Pemi River Access**

Jerry Sobolewski stated the TTCC has spoken to the State about cleaning up and utilizing the boat launch at the end of Robin's Nest Road for public use. He stated the State is open to ideas but want clarification on what the TTCC is going to do. J. Sobolewski passed out conceptual drawings to the Board.

M. Peabody asked what the TTCC's intent was with the boat launch. J. Sobolewski stated the TTCC intend to raise money to fix up the area for a public entrance to the Pemi; they are waiting to hear from the State to see if they can do so.

M. Peabody asked if the town would be liable for the area if the State allows the use. J. Sobolewski stated they will address liability concerns if the State approves.

Discussion continued regarding liability and responsibility concerns, as well as increased traffic on Robin's Nest Road.

J. Monti stated the first step is to see what the State comes back with.

The TTCC thanked the Board for their time.

**Department Monthly Reports/CIP**

**Highway Department Report**

RA Kubik stated they have been ditching Andersen Hill and mowing back trees from the roads. He stated they were prepared to pave last week, but GMI had a late project they had to start. RA Kubik stated GMI should complete paving town roads at the end of this week or early next.

RA Kubik submitted a plan for areas needing attention for improvements on Mill Brook.

A lengthy discussion on the Scenic Road status of Mill Brook and the timeline for banding trees continued. The Board agreed to have an informal, informational meeting relative to Mill Brook improvements at a future BOS meeting; if trees or stonewalls need to be removed, then there will need to be a Planning Board Public Hearing as this is a scenic road.

#### Highway Department CIP

RA Kubik stated that he is proposing vehicles be replaced in nine (9) years instead of seven (7) years.

There was conversation relative to the roadside mower which is currently scheduled in the CIP for 2029. After much discussion, the board agreed that this item should be moved up in the schedule as the current mower is showing its age and may need to be replaced sooner.

#### Police Department Report

Chief Miller passed out his monthly report for the Board to review.

P. Laufenberg asked how the Emergency Operation Plan (EOC) is activated; Hurricane Henri recently was forecasted to hit Thornton, and people in the community were asking about hurricane preparedness.

J. Monti stated there is a book with possible emergencies and when the EOC is activated, Chief Miller calls it in to other departments; the BOS is notified by J. Monti as liaison.

Chief Miller stated they are preparing for 'Trunk or Treat' and holding a meeting on Thursday.

Chief Miller stated national 'Faith in Blue' weekend is October 8-11, 2021 and the event in Thornton will be a movie in the park at Benton Field.

J. Monti asked if this was a religious event. Chief Miller stated the event is based on the premise that law enforcement and faith institutions are key leaders in a community; when they work together, they can reach a large portion of the community. Chief Miller stated there will not be sermons given or religious pamphlets distributed.

J. Monti asked if the officer(s) working this event are doing so as part of their normal duties, overtime, or volunteering and asked if this event is going to grow in the future. Chief Miller stated the potential costs for the officer on duty would be minimal and he cannot see any major financial costs. He stated he is unsure if the event will take off like National Night Out; they may not do it again after this year if it is not successful.

TA Shepard suggested that new events should be discussed with the BOS before they are scheduled. Discussion followed. R. Sabourn asked that Chief Miller be cautious when this event as it appears to mix religion and government.

#### Police Department CIP

Chief Miller referred to a couple of cruiser purchases and stated that the dates listed can be pushed out, as the current vehicles are running well. Discussion continued on the lifespan of a police cruiser.

CIP Chairman Lewis suggested the purchase of cruisers be budgeted out for five (5) years and Chief Miller agreed.

#### Fire Department

Chief Defosses stated the Lakes Region Mutual Fire Aid headquarters at the old State School in Laconia may be being sold. He stated the Governor's Council has decided to sell the entire facility, where the Mutual Fire Aid and NH 911 currently use one (1) building.

Chief Defosses stated it could cost upwards of \$7,000,000.00 to relocate both entities if the new owners evict them. He stated the cost to move the offices would have to be split out across 35 communities. Chief Defosses is concerned that if the sale of the State School goes through the Mutual Fire Aid would be dissolved.

Chief Defosses stated everyone is a little uneasy with the potential sale and are hoping they'll stay. Discussion continued on the potential sale of the State School and the ramifications to the communities the emergency services assist.

J. Monti suggested that Chief Defosses contact State Representative Erin Hennessey to inform her of the situation and see if she can help at the state level.

Chief Defosses reviewed the report of number of calls. He provided the following information on towns that provided mutual aid to Thornton:

- Plymouth: 14 calls
- Waterville Valley: 11 Calls
- Woodstock: 7 calls

Chief Defosses stated the department received a Forestry Grant for outdoor rescue Personal Protective Equipment.

Chief Defosses stated the fire trucks are going in for fall maintenance.

#### Fire Department CIP

Chief Defosses stated that after talking with Campton, the feeling is that Engine 2 should be replaced with a new engine.

J. Monti stated he thought the department was going to make the decision to purchase a four-wheel drive ambulance instead of the new engine. He stated he cannot support the purchase of a new engine when, based on the fact that most of the calls are medically related.

Discussion continued.

The Thornton BOS suggested the following actions to the FD CIP:

- Ambulance 2 be moved from 2024 to 2021
- Engine 2 would be moved to 2023
- Engine 4 would be moved to 2024

Chief Defosses stated he does not see a problem in shuffling the vehicles around in this way.

B. Benton stated he personally thinks, based on the statistics shown, a four-wheel drive ambulance is more important at this time over a new engine. M. Peabody agreed.

R. Sabourn asked Chief Defosses to speak to the Campton CIP committee to see if they feel that an ambulance should be a higher priority than an engine.

#### Transfer Station CIP

In the absence of Manager Steve Chiocca, TA Shepard presented the Transfer Station CIP for a replacement compactor to the BOS. The Board agreed that this request was appropriate.

#### Administration CIP

TA Shepard shared with the board that because the Thornton Gore Bridge is not red listed by the state, it is not eligible for the 80%/20% State Bridge Aid Program. However, with the weight limit on the bridge, it is not safe for things like fire trucks, cement truck, paving trucks, etc.

TA Shepard stated that when she spoke with Bill DeLeo, he felt rather than putting money in the CIP for a new bridge, the Town should look into a bond for the bridge. Discussion followed. The BOS is confident that the money currently in the bridge CIP could be used for engineering and design work for a new bridge.

R. Sabourn asked that P. Laufenberg work with TA Shepard in gathering information on bonding and capital outlay to fund a new bridge.

R. Sabourn stated the use of a temporary bridge from the US Forestry Department is still in limbo; the Forestry Department stated that at this time, they could commit to five years but not ten. However, they may be able to give the town an extension on the contract. R. Sabourn stated that the WMNF was told that if they cannot guarantee a ten-year contract for the use of the bridge, then the town would most likely not be interested. The engineer at the WMNF will continue to gather information on what the maximum contract term could be and will communicate with TA Shepard in the near future. The BOS will continue this conversation until that information is available.

#### COVID-19 Discussion

TA Shepard presented a suggestion for unvaccinated staff members:

- Masks will be required:
- When inside any town owned office/building.
  - (Exception – personal office space when no one else is present)
- When outside, masks are required when you are not able to socially distance (at least 6 ft., otherwise masks are not required while outside)
- When driving or riding in town vehicles with other staff members present.

TA Shepard also suggested signage at all Town Facilities to read, in part, 'if you are not vaccinated, please wear a mask.'

Health Officer Peabody stated this is the best option for unvaccinated individuals.

P. Laufenberg asked that a discussion of the COVID-19 numbers and policies in place be revisited once a month.

Discussion continued.

Health Officer Peabody asked the board to make it their practice that any staff member exposed to COVID-19 within Town Facilities be required to provide a negative PCR test before being allowed to return to work.

Discussion followed. The BOS agreed to follow the mask and PCR test practice as discussed until further notice.

**Board of Selectmen Item Discussions**

TA Shepard shared with the BOS the status of the tax deeding process. Selectman Peabody and Chairman Sabourn visited the four properties remaining and reviewed the property relative to the waiver process. They did not feel any of the properties needed to have a waiver. Discussion followed.

**MOTION: "Not to waive any of the tax collector's deeds on the four (4) remaining properties."**

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None

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

TA Shepard distributed an up-to-date budget for review.

TA Shepard stated that the M. Mahmoud property was recently sold, and the town did receive a check for payment of the full judgement on that property.

TA Shepard asked the BOS to sign off on a State of NH form for Durham Bus Services to operate a fleet service inspection station at their property located next to town hall. The BOS has reviewed and signed this yearly permit in the past. Chair R. Sabourn signed on behalf of the BOS.

TA Shepard stated a Right to Know request has been received and she would like to forward it to Town Counsel before responding to it for guidance. The Board agreed that TA Shepard could consult Town Counsel prior to responding to the Right to Know request.

R. Sabourn stated a ZCA was submitted that was missing the State Energy audit, and asked the Board if they wanted to move forward with the ZCA or wait until all paperwork has been received. After discussion, the Board agreed to wait until all paperwork has been received prior to acting on the ZCA.

P. Laufenberg stated the Cemetery Trustees will be meeting on September 14, 2021 at 4:00 p.m.

P. Laufenberg requested that Department Reports be submitted in written form prior to the BOS meetings in the future. TA Shepard will request that all written department reports be submitted to her by the Monday before the BOS Wednesday meeting so she can forward to BOS members for read ahead

J. Monti asked where the credit card use process was, and TA Shepard stated that due to staff members being out of the office, this meeting with the vendor has had to be postponed but the process is still moving ahead.

S. Babin stated the Planning Board met on September 7, 2021 and asked the Board members to review the draft minutes when completed. He stated several members of the Planning Board expressed concern with the ZBA.

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

**MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (a-personnel) at 1:27 p.m."**

Motion: R. Sabourn

Seconded: P. Laufenberg

Discussion: None.

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

**MOTION: "To exit the non-public session pursuant to RSA 91-A:3, II, (a-personnel) at 1:46 p.m."**

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

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

**MOTION: "To accept the resignation of Officer Matt Yao effective September 14, 2021."**

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None

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

**MOTION: "To adjourn at 1:46 p.m."**

Motion: M. Peabody

Seconded: P. Laufenberg

Discussion: None

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

Respectfully submitted,

Kerrin Randall  
Board Assistant