



**TOWN OF THORNTON
BOARD OF SELECTMEN**

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

Approved on: 20 Oct 21
BOS Initial: JMM
Rec'd by Town Clerk on: 10-28-2021
Town Clerk Initials: plw

**Board of Selectmen Meeting Minutes
October 6, 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, Selectman Peter Laufenberg

ABSENT: None

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

OTHERS PRESENT: Kali, Steve Babin, Ed Hubbard, RA John Kubik, Chief Ken Miller, Sergeant Dan Gilman

OTHERS PRESENT VIA ZOOM: TSM Steve Chiocca

Manifests

MOTION: "To approve the vendor manifest dated 10/8/2021 in the amount of \$246,334.00."

Motion: B. Benton

Seconded: R. Sabourn

Discussion: None

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

MOTION: "To approve the payroll manifest dated 10/8/2021 in the amount of \$28,600.23."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None

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

Consent Agenda

1. ZCA 2019-44 Extension, Julie Lindholm, PID 17-3-7, 80 High Brook Road
Description: Interior work including but not limited to drywall, electrical, water & heat
2. ZCA 2021-78, Patricia Paul, PID 10-1-4-06, NH Rte. 175
Description: 10x16 Camp – No Water or Electric.
3. ZCA 2021-84, Kent Tower, Tower Family 2018 Trust, PID 10-10-7, 3039 US Rte. 3.
Description: Rooftop solar array.
4. ZCA 2021-85, Sandra Picard, PID 17-7-21, 374 Upper Mad River Road
Description: 9' long x 10' wide roof connecting house to garage.

5. ZCA 2021-86, Thomas O'Neil & Lynn Jenkerson, PID 16-6-33, 132 Upper Mad River Rd
Description: 28x28 Two Car Garage.
6. ZCA 2021-87, 9 Centennial Way LLC, PID 15-1-50-09, Centennial Way
Description: 28x40 4-Bedroom SF Modular Home.

MOTION: "To approve the Consent Agenda for October 6, 2021 as presented."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None

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

Meeting Minutes

MOTION: "To approve the Board of Selectmen minutes of September 22, 2021 as presented."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

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

MOTION: "To approve the Board of Selectmen non-public minutes of September 22, 2021 as presented."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None

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

TA Presents

TA Shepard stated Tom Sawyer, IT consultant, recommended that the Town apply for a '.gov' domain extension; this will provide better security at no additional cost. J. Monti stated '.gov' domains have a significantly higher number of cyber-attacks than '.org' domains. TA Shepard stated she will follow up with T. Sawyer to review the current internet safety plan.

TA Shepard stated the Joint Budget Hearing will be held in Campton on December 13, 2021 for the Fire Department and Transfer Station.

R. Sabourn reviewed a letter to Governor Sununu that was drafted by Chief Defosses and TA Shepard relative to the potential sale of the state school in Laconia and the relocation of 911 Dispatch and Lakes Region Mutual Fire Aid.

MOTION: "To sign the letter to Governor Sununu with a copy to all applicable state legislators representing Thornton."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None

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

Review and Sign Amended MS-535

TA Shepard stated the auditors reviewed and made a few amendments to the MS-535 that will need to be re-signed by the Board and submitted to the DRA.

MOTION: "To accept the amended MS-535 and authorize TA Shepard to submit to the DRA."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None

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

Thornton Conservation Commission – Antioch University of NE-Project Application

Myrtle Lewis, Chair of the Conservation Commission, stated Antioch University in Keene has a graduate program that is accepting applications from towns that would be interested in having a Natural Resource Inventory (NRI) done by a graduate student. She stated the students would be getting experience and the Town would be getting a professional quality NRI.

M. Lewis stated she is unsure of how many Towns will be submitting applications, and Thornton has a chance due to its uniqueness with the National Forest and the Pemigewasset River. She stated compensation for mileage is being requested in the application and the students would visit Thornton twice; most of the research will be done by compiling gathered data online.

P. Laufenberg clarified that if Thornton is selected, the students will be compiling data from various sources to create a report of the natural resources in town, not giving the Town a list of items to be completed. M. Lewis stated that is correct.

M. Lewis stated the NRI will help in planning purposes for the Master Plan of the Town, as well as be a resource for residents. She stated a professional NRI can cost up to \$10,000.00 and if Thornton is selected, total cost for mileage may be \$1,000.00 or less.

P. Laufenberg agreed that an NRI is a great resource to have but questioned if this should be going to the Planning Board for discussion rather than the Board of Selectmen.

TA Shepard clarified there is a past practice by the BOS that all applications for grants need to be presented to the BOS for their permission for the application to be submitted. Discussion followed. M. Lewis stated that it was not her intention to by-pass the Planning Board in this application process.

MOTION: "To authorize the Conservation Commission to submit an application to the Antioch University of NE on the Town's behalf."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

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

R. Sabourn stated he will sign the application for M. Lewis to submit. M. Lewis stated she will attend the PB meeting on October 21, 2021 to discuss this program and how it may affect the Master Plan.

Ed Hubbard – Ditch and Erosion Concern on Banjo Drive

R. Sabourn stated E. Hubbard has concerns with water runoff crossing his property and under a culvert in his driveway; E. Hubbard believes this is being caused by a ditch that was created by the Town in 2013.

RA Kubik stated the Highway Department has been out to inspect the concerned area and has determined that the excess water is being caused by sand blocking the culvert under the driveway.

P. Laufenberg stated he is E. Hubbard's neighbor and can attest to water building up and crossing multiple properties, including his own, that was not present in years passed. A lengthy discussion ensued.

R. Sabourn stated he, RA Kubik, Assistant RA Rodgers, and P. Laufenberg will meet on Wednesday, October 13, 2021 at 9:00 a.m. to investigate the concern of the water runoff. The Board agreed that there is no conflict with P. Laufenberg taking part in this matter.

2021-2022 Winter Sand Bid Award

R. Sabourn stated there were two (2) bids submitted. He stated advertisements to bid were published September 9, 2021 in the Plymouth Record Enterprise and on the Town website.

The Board reviewed the bids submitted by Benton Enterprises and Andrews Construction. RA Kubik had samples of the sand from both companies for the Board to view.

MOTION: "To award the 2021-2022 Winter Sand Bid to Benton Enterprises. If the quantity of sand needed is not available, or the quality of the product is lacking, RA Kubik has the ability to use Andrews Construction."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

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

Resident Mailbox Complaint

TA Shepard stated a mailbox was accidentally hit by the Highway Department roadside mower. She stated the post was cracked, and Highway Department staff repaired it. TA Shepard stated the property owner was not satisfied with the repair and wanted the Town to replace the cedar post.

RA Kubik stated the practice of the Highway Department has been to repair, not replace, mailboxes and/or posts that are accidentally hit. He stated mailbox collisions usually occur in the winter when plowing, and this was an extraordinary situation; discussion continued.

MOTION: "To offer the property owner a new, pressure treated wooden mailbox post or pay him the cost of a new, pressure treated wooden mailbox post."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None.

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

Private Road Signs

R. Sabourn stated a resident approached him regarding Shepherd Lane which is a private road that does not have a street sign.

TA Shepard stated when the Town went to the 911 system years ago, the town paid for all road signs, including private road signs to be made and installed. She stated going forward, the

Town's practice has been, if a private road sign is knocked down or taken, it is the responsibility of the residents on the road to repair or replace.

R. Sabourn stated other towns replace private road signs when they intersect state or town roads. He stated street identification is a life safety concern that needs to be addressed. The Board asked RA Kubik to compile a list of private roads that intersect State or Town roads to determine if other signs need to be replaced as well. The BOS will discuss this practice in more detail at a future meeting.

MOTION: "To replace the private street sign for Shepherd Lane."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

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

Proposed 911 New Street Names

MOTION: "To approve the proposed street names as recommended by Chief Defosses: Lakeside Drive and Resort Way."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None.

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

Review of Written Department Monthly Reports

Highway Department

The board reviewed the written report submitted by RA Kubik.

J. Monti stated the CIP agreed to move the roadside mower purchase to 2022 from 2029. RA Kubik thanked the Board.

Fire Department

The board reviewed the written report submitted by Chief Defosses.

Transfer Station

The board reviewed the written report submitted by TSM Chiocca.

J. Monti stated he thought preventative maintenance was ongoing rather than being scheduled to begin in the fall. TSM Chiocca explained that daily preventative maintenance on equipment is being done, but he was referencing winter preparations in the written report. J. Monti thanked TSM Chiocca for the clarification.

Transfer Station – Resident Issue

R. Sabourn stated a resident from another town has continually ignored the mandatory recycling policy and has expressed that they will use the Transfer Station as they deem fit. R. Sabourn stated this resident has been spoken to by Transfer Station staff numerous times, and has also received a letter from the TA, but there is nothing regarding penalties for violating the mandatory recycling in written policy.

TA Shepard verified that after speaking with counsel, nothing can be done with individuals violating the mandatory recycling policy, as there are no penalties written in place.

P. Laufenberg stated if there are no penalties currently in place, then violations cannot be enforced. He stated the proposed Transfer Station Ordinance (TSO) has penalties listed for violating mandatory recycling.

R. Sabourn asked TA Shepard to schedule a Joint Meeting with Campton and Ellsworth to discuss the TSO following the public hearings. J. Monti asked if the Thornton Board could discuss the TSO at the next Board meeting; this is not to replace the Joint Meeting being scheduled.

TA Shepard stated she will reach out to Campton and Ellsworth about a Joint Meeting and will inform them that Thornton will be discussing it at the October 20, 2021 meeting.

Review of 2020 Draft Audit Documents

TA Shepard reviewed that the report is consistent with years passed, but there is a concern with the Library Trustees having a debit card. The Board agreed that the Library Trustees should not have a debit card and TA Shepard stated she will discuss this issue with them.

J. Monti asked about a concern in the report regarding the trust funds and the FDIC insurance for accounts up to \$250,000. He asked that TA Shepard look into this further with the Trustees of the Trust Funds. TA Shepard stated that she felt this issue had already been addressed but will follow up accordingly.

Police Department - MRI Contracts

TA Shepard submitted the MRI contract for the Police Department with changes made since 2016 redlined for review. R. Sabourn stated the Board was asked to get a proposal for review before any decisions were made.

R. Sabourn believes the proposed interim Police Chief agreement that is before them for Mike French, who previous filled this position, is the right avenue to pursue at this time. M. Peabody agreed that this is the best solution right now, as the department is short an officer and administrative assistant as well.

P. Laufenberg stated he would like to hear the opinions of Chief Miller and Sergeant Gilman.

Sergeant Gilman stated he would prefer to discuss his opinion in a non-public session. He stated that he and other officers want to have a seat at the table when final candidates are determined in the hiring process for a Police Chief; the last time MRI was used to hire, officers and staff had no idea what type of person was being brought in. Sergeant Gilman stated it all worked out, as Chief Miller has been exceptional in his role, but there are no guarantees on the next Chief.

MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (b-hiring) at 12:13 p.m."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

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

MOTION: "To exit the non-public session pursuant to RSA 91-A:3, II, (b-hiring) at 1:38 p.m."

Motion: P. Laufenberg

Seconded: R. Sabourn

Discussion: None.

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

MOTION: “To accept the resignation of Ken Miller as Thornton Police Chief, effective November 5, 2021.”

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

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

MOTION: “To offer the position of Zoning Compliance Office to Shawn Magoon.”

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

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

MOTION: “To extend a conditional offer to ‘Candidate A’ for the Police Department Patrol Officer position.”

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

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

2021 Holiday Party

TA Shepard asked for permission to move forward with the Woodstock Station to book the holiday party on Friday, December 17, 2021. The Board was in favor of moving forward with a holiday party.

Board of Selectmen Item Discussions

J. Monti asked if the informal meeting for Mill Brook residents had been scheduled. TA Shepard stated she and RA Kubik are still looking at dates.

J. Monti updated the Board on the School Building Committee progress and highlighted the following:

- Wants and needs were determined for the school, and the needs point to a smaller addition than previously thought
- Revised plans and timelines for the project will be discussed at the next meeting in three (3) weeks.
- There was public confusion regarding the Library Trustees, and it was clarified that the Trustees oversee the Public Library, not the school library.
- Campton, Holderness, and Rumney schools were visited, and all are under capacity.

TA Shepard stated the Library Trustees sent a draft of their plans for the library building this morning, and it will be reviewed.

Public Forum

S. Babin asked if impact fees were being discussed by this Board, as it would be a Planning Board function and he wanted clarification on implementing it.

P. Laufenberg clarified that residents see a new development begin built and ask if impact fees are being accessed. He stated he would like to have a meeting with Planning Board Counsel and Keach-Nordstrom engineering to determine if the PB should move forward with impact fees.

M. Peabody clarified that a type of impact fee was put in place years ago when Mill Brook was being developed; the fees were used for maintenance on Mill Brook.

S. Babin agreed that a meeting should be had with counsel and engineering for impact fee discussion. He stated it may require more staff to handle the increased responsibility put on the Planning Department. TA Shepard confirmed that it would be a huge administrative responsibility. P. Laufenberg stated due diligence to the residents should be done to investigate impact fees.

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

MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (b-hiring) at 1:54 p.m."

Motion: J. Monti

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, (b-hiring) at 2:00 p.m."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

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

MOTION: "To adjourn at 2:00 p.m."

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None

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

Respectfully submitted,

Kerrin Randall
Board Secretary