



**TOWN OF THORNTON
BOARD OF SELECTMEN**

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

Approved on: 1 Dec 20
BOS Initial: JMM
Rec'd by Town Clerk on: 12-6-2021
Town Clerk Initials: pdw

**Board of Selectmen Meeting Minutes
November 17, 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, Selectwoman Marianne Peabody, Selectman Brad Benton, Selectman Peter Laufenberg

ABSENT: None.

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

OTHERS PRESENT: Steven Babin, Chief Daniel Defosses, Chief Dan Gilman, RA John Kubik, Brooke Biswanger, Kristine Surdam, Jerry Sobolewski, Larry Benoit, Mike Benton, Lori Benton, Widge Merrill, Carl Kilmer

OTHERS PRESENT VIA ZOOM (names are as they appeared via Zoom): Allison, Steven, Joan Marshall, Marilyn Pomerantz, Andy Harris, Carter Harrison, Helen, Jf7, M, Mike Pomerantz

Manifests

MOTION: "To approve the payroll manifest dated 11/19/2021 in the amount of \$43,589.06."

Motion: B. Benton

Seconded: J. Monti

Discussion: None

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

MOTION: "To approve the vendor manifest dated 11/19/2021 in the amount of \$457,197.08."

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None

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

MOTION: "To approve the LCJ Holdings, LLC manifest dated 11/19/2021 in the amount of \$1,882.50."

Motion: B. Benton

Seconded: J. Monti

Discussion: None

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

Consent Agenda

1. Trustee of the Trust Funds Request for Funds
Capital Reserve-Police Cruiser & Cruiser Equipment, MHQ, Inc.
2020 Dodge Charger Police Vehicle - \$30,017.69
2. Trustees of the Trust Fund Request for Funds
Capital Reserve-Highway Vehicle, Equipment and Major Maintenance
Ford F-550 Equipment - \$28,893.52
3. Avitar Associates of New England Inc.,
Preliminary DRA Assessment Sales Ratio
4. Certification of Yield Taxes Assessed – David Waterbury, PID 13-11-4, \$182.84
5. ZCA 2021-100, Shirley and Jerel Benton, PID 11-1-33, Old Saw Mill Rd
Description: 60X30 Duplex – 2BR each (Unit 5)
6. ZCA 2021-101, LCJ Holdings, LLC (Owl's Nest), PID 16-1-7, 1447 NH Route 175
Description: "Boathouse" 9,000 square foot Function Bldg, Snack Bar & Storage
7. ZCA 2021-102, Gary and Lisa Carignan, PID 9-1-3-07, 33 True Lane.
Description: 30X46 Garage

MOTION: "To approve the Consent Agenda for November 17, 2021 as presented."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None

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

Meeting Minutes

MOTION: "To approve the Board of Selectmen minutes of November 3, 2021 as amended."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None

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

TA Presents

TA Shepard discussed with the BOS the current boot reimbursement process for employees of the Transfer Station and Highway Department. Currently it is up to \$150 per year reimbursement for work boots. TA Shepard asked the board to raise that amount to \$175. Discussion continued. The Board agreed to increase the boot reimbursement to \$175 per year moving forward.

TA Shepard stated the Intergovernmental Agreement subcommittee is working on getting a date set to discuss some language changes to the agreement. All three boards will be meeting on December 13, 2021 for the joint budget meeting and will hopefully finalize the intergovernmental agreements at that time as well.

TA Shepard spoke with TA Park regarding the CIP of each respective town not having matching amounts for the Fire Department and Transfer Station. TA Shepard will reach out to TA Park to

see if this can also be discussed at the December 13, 2021 joint meeting; the CIP numbers will be sent ahead of time to Campton and Ellsworth.

TA Shepard presented an escrow agreement relative to two (2) properties that were deeded to the town in August. She stated Town Counsel has reviewed the agreement and has no concerns. TA Shepard also presented two deeds for signature relative to the same two properties. Once the funds are received to purchase these two properties back from the town, the deeds will be released. Discussion continued.

MOTION: "To sign the escrow agreement and two (2) deeds with no covenants to Christina Brown and First Fisher Mountain Trust c/o Christina Brown as presented."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None

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

TA Shepard stated the North Country Solid Waste division will be voting on their budget on December 1, 2021. She stated Steve Chiocca was the representative for the Campton, Thornton, and Ellsworth Facility, but with his resignation, Assistant Transfer Station Manager (ATSM) Zach Simon, who is the alternate, has agreed to serve as the representative for the December meeting only. TA Shepard will be listed as alternate. These appointments will be revisited upon the hire of a Transfer Station Manager.

MOTION: "To allow Zach Simon to serve as the representative for the December 2021 meeting; TA Shepard will be listed as alternate."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: J. Monti stated he would like confirmation from Z. Simon that he has agreed to serve in this capacity.

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

P. Laufenberg asked if ATSM Simon is the official point person now for the Transfer Station and TA Shepard stated yes; he is acting as the Assistant Manager. J. Monti asked if ATSM Simon is being paid as the acting manager or if his compensation has remained the same. TA Shepard suggested this should be discussed in the non-public session.

TA Shepard stated a concerned citizen form was submitted regarding not posting a meeting that was held in Campton. TA Shepard took responsibility for not posting the meeting, as she was at a conference and was unable to do so. R. Sabourn stated the meeting was noticed in two (2) previous BOS minutes and it was a fluke that it was not posted; an error was made and will not happen again.

TA Shepard shared a complaint received from Tim Kingston, Campton resident regarding fireworks at Owl's Nest. He shared that he is concerned with the number of displays happening consistently and is concerned that with the wedding venue almost complete, there will be even more going into the future.

Chief Defosses stated there are no ordinances in Thornton right now regarding consumer grade fireworks, but state permits need to be obtained from the state for commercial displays. He stated the police have also received complaints regarding the fireworks. Discussion continued.

The Board recommended Chief Defosses investigate this more, as they want to be sensitive to the residents. Chief Defosses stated he will come back in a month with recommendations.

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

Fire Department Budget

Chief Defosses presented the proposed budget for the Fire Department. He stated the Lakes Region Mutual Fire Aid budget went down, and the communications center will be housed in a new building that the State will be responsible for.

The Board reviewed the budget presented. Discussion continued.

Chief Defosses concluded that the proposed budget for the Fire Department has increased 12% overall from last year. The Board thanked Chief Defosses for attending.

Transfer Station Budget

TA Shepard presented the proposed budget for the Transfer Station on behalf of ATSM Simon. The Board reviewed the budget presented and discussion was had.

Questions arose regarding the line items for the hopper, and it was clarified that the requested budgeted amount is for repairs to the current hopper and not for a new one at this time. The Board thanked TA Shepard for presenting the budget on behalf of the Transfer Station.

Year End Surplus Requests 2021

TA Shepard presented surplus requests from the Transfer Station. The Board reviewed the requests and asked that ATSM Simon provide further clarification on items being requested before anything is approved.

Police Department

Chief Gilman presented the proposed budget for the Police Department. He stated costs that are beyond their control have increased, but the overall increase in the proposed budget is 1.1%. Chief Gilman stated he feels that the department is in a good place financially at this time. The Board reviewed the budget presented. Discussion regarding the "on-call" process was had. Chief Gilman stated there is no opposition from anyone on the force regarding being "on-call".

J. Monti asked if the Police Department will need to add to the budget for communications equipment that will be on the new cell tower. Chief Gilman stated the Police Department will not need to put equipment on the cell tower. He stated other departments may choose to do so, but the Police Department does not need equipment on the tower. The Board thanked Chief Gilman.

Year End Surplus Requests 2021

The Board reviewed the requests, and questions arose regarding payment of invoices out of the surplus. Chief Gilman stated past practice has been to pay yearly invoices for Axon (body cameras), Power DMS (record management), and Guardian Tracking (employee review software) out of the surplus; 2020 surplus pays for 2021, 2021 surplus pays for 2022, etc.

A lengthy discussion regarding adding a line item to the budget for these yearly invoices continued.

The Board agreed that the invoices for Axon, Power DMS, and Guardian Tracking will be paid out of the 2021 surplus for 2022. Beginning in the 2023 budget, funds for those

invoices will be added to the general equipment line; a note will be added to the PD budget to reflect this.

The Board reviewed the remaining surplus request for five (5) rifles. Chief Gilman stated a company out of Vermont provides firearms exclusively for Police Departments at a reduced price. He stated they have used this company before for pistols and are very happy with them. Chief Gilman stated if the new rifles are purchased, all rifles the department have will be identical. Discussion continued.

MOTION: "To approve the Police Department 2021 Surplus Request."

Motion: R. Sabourn

Seconded: J. Monti

Discussion: None

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

The Board agreed that the Police Department does not need to come back to the December meeting, unless questions arise between now and the hearing. The Board thanked Chief Gilman.

Emergency Management Budget

Chief Gilman presented the proposed budget for the Emergency Management Department; all items were level funded.

Highway Department Budget

RA Kubik presented the proposed budget for the Highway Department. He stated the budget has increased 3% overall from last year. The Board reviewed the budget presented and discussion was had.

P. Laufenberg asked if the provider for heating oil to the highway garage and propane for the Town Offices could be the same. TA Shepard stated she will reach out to the providers.

Year End Surplus Requests 2021

The Board reviewed the request for a fan system for the garage; all agreed that it is a necessity for safety.

MOTION: "To approve the Highway Department 2021 Surplus Request."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None

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

RA Kubik asked the Board if they would be in favor of him purchasing a used sander for the new truck. He stated his crew can outfit a used sander for less than the cost of a new one. RA Kubik stated there is money in the CIP for a sander, as it was bundled into the cost of the truck.

The Board agreed that should a used sander be found, RA Kubik has permission to purchase for the new truck.

Fund Balance

TA Shepard presented scenarios paying down the tax rate using the Undesignated Fund Balance using amounts between \$250,000 and \$400,000. The Board reviewed the different options and a lengthy discussion continued.

MOTION: “To apply \$400,000.00 from the Undesignated Fund Balance to buy down the tax rate for 2022.”

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: R. Sabourn stated he will not support using \$400,000.00 and M. Peabody stated the tax rate will fluctuate too much in the future if that amount is used. R.

Sabourn asked for a roll call vote.

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

Motion Does Not Pass: 2 – Yes, 3 – No, 0 – Abstained

MOTION: “To apply \$350,000.00 from the Undesignated Fund Balance to buy down the tax rate for 2022.”

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: R. Sabourn asked for a roll call vote.

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

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

Mid-State Health Request

P. Laufenberg stated Mid-State Health is in the process of building a childcare facility and are seeking letters of support from surrounding communities that would benefit from the childcare center. He stated the letter is already drafted, and he would like Thornton to indicate they support the concept of this childcare center.

MOTION: “To authorize R. Sabourn to sign the letter of support for the Mid-State Childcare Facility.”

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None

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

NHDOT: Easement Inquiry

R. Sabourn stated AA Mahurin received a letter from NHDOT asking about a proposed easement on Chickenboro Road for Todd Baldwin; NHDOT is apparently looking for alternate routes to detour vehicles while repairing the Robertson Memorial Bridge.

R. Sabourn explained that NHDOT came across a recorded plan submitted to GCRD by T. Baldwin, and that this plan was recorded without the consent of the Town of Thornton. He stated the recorded plan implies that the Town agreed to this easement, which it did not. R. Sabourn asked if it would be agreeable that Town Counsel review this matter and the Board stated yes. R. Sabourn stated AA Mahurin will respond to NHDOT indicating that there is no easement on that parcel, and that the Town will be investigating.

Millbrook Road Improvements

R. Sabourn stated that this is not a public hearing and is for informational purposes, and for residents to give feedback on the proposed improvements begin discussed. He stated that should a public hearing be held with the Planning Board, certified letters would be sent.

R. Sabourn stated two (2) years ago a site walk with RA Kubik was done to determine areas that need improvements on Millbrook Road. He stated RA Kubik has drafted a plan that will be reviewed at this meeting in order to get feedback from residents. R. Sabourn stated some of the proposed improvements, should they be approved in the future, will need to go before the Planning Board, as Millbrook has been designated as a Scenic Road.

RA Kubik reviewed four (4) sites on Millbrook Road that he has identified as 'problem' areas with narrow road width, inadequate drainage, and winter maintenance hazards. He suggested ditching techniques and ways to widen the road that would require the removal of trees; this would need to go before the Planning Board. Discussion continued.

M. Peabody asked if the trees that would need to be removed could be marked so that people could get a visual of what is being proposed. RA Kubik stated the trees can be marked, but any trees being cut on a scenic road need to be approved by the Planning Board; until the plan is brought before them, no trees should be marked for removal. Discussion continued.

Carl Kilmer, resident on Millbrook Road, stated he has lived on Millbrook since 1980 and the road conditions have never been better. He thanked RA Kubik and the Highway Department for their work. He reviewed that while the improvements are a good idea, he is not in favor of widening the road. C. Kilmer stated the US Forestry Service has used Millbrook to access a portion of the National Forest in the past, which caused concern for residents. He stated residents fought the logging access, and the project has been indefinitely put on hold. C. Kilmer stated if the road is widened, the logging trucks will be able to easily access the parcel to log, and cause distress for residents. Discussion continued.

J. Sobolewski suggested a committee be formed to discuss the improvements and work with RA Kubik. J. Monti stated a precedent has been set with the Transfer Station Advisory Committee (TSAC) being established, and a committee for Millbrook may be appropriate. P. Laufenberg stated the formation of the TSAC, in hindsight, was made in error and the appropriate place to discuss this is at the Planning Board where public hearings can be held. A lengthy discussion continued.

R. Sabourn thanked everyone for their input and stated no one is ready to make any decisions tonight. He stated if this is brought to the Planning Board, public hearings will be scheduled, and notices will go out. TA Shepard clarified that the municipality is required to submit the application to the Planning Board under the Scenic Road designation.

Board of Selectmen Item Discussions

No comments were made.

Public Forum

No comments were made.

TA Shepard informed the board that she updated the tax rate portal with the fund balance information and has submitted it to DRA for final review. She is hopeful that the tax rate will be finalized in the morning. Once that is done, the warrant will be prepared for BOS signature and the tax bills can be printed and mailed. Tax bills will be due 30 days from the date they are mailed. after they are mailed.

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 7:57 p.m."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None

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

MOTION: "To exit the non-public session pursuant to RSA 91-A: 3, II (b-hiring) at 8:04 p.m."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None

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

MOTION: "To hire Candidate 1 for the Full Time Police Department Administrative Assistant at Labor Grade 7, Step 14, with a hiring date of December 6, 2021."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None

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

MOTION: "To adjourn at 8:06 p.m."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None

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

Respectfully submitted,

Kerrin Randall
Board Secretary