



TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: 2/12/20
BOS Initial: RB
Rec'd by Town Clerk on: 2/18/2020
Town Clerk Initials: clm

Board of Selectmen Meeting Minutes January 29, 2020

4:00 P.M. Vice Chairman Sabourn opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

ROLL CALL: Vice-Chairman Roy Sabourn, Selectwoman Marianne Peabody, Selectman Jack Gaites and Selectman Joseph Monti.

STAFF PRESENT: TA Debra Shepard, Town Administrator, Jessi Fleury, Board Secretary.

ABSENT: Chairman Brad Benton

Action Folder:

MOTION: "To approve the vendor manifest dated 1/31//2020 in the amount of \$136,634.80."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: J. Gaites

MOTION: "To approve payroll manifest dated 1/31/2020 in the amount of \$29,347.04."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: M. Peabody

Minutes

MOTION: "To approve Board of Selectmen public meeting minutes of January 15, 2020 as amended."

Motion: M. Peabody

Seconded: J. Monti

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

ZCA Review

- No ZCA applications were submitted.

R. Sabourn shared with the BOS that the Pemi River Campground is looking for certification of flood elevation from the Town of Thornton. A local engineer completed the certificate form on behalf of Pemi River Campground and made a determination of the base flood elevation. Hartford Insurance Company is now requesting that the Thornton BOS issue a letter stating that the base flood elevation shown on the form is accurate. Vice Chair Sabourn advised the BOS that because the FEMA flood maps do not provide this information and because there have been no engineering studies performed on behalf of the town to establish any proof of the base flood elevation, the BOS cannot to the best of their knowledge confirm that the information is correct. After discussing this request with AA Mahurin, R. Sabourn believes that the BOS should send a letter informing the insurance company of their position. R Sabourn shared the draft letter with the BOS and it was agreed that this letter should be sent on behalf of the Thornton BOS

MOTION: "To approve and sign the letter to the insurance company as drafted in reference to the flood elevation certificate request from Pemi River Campground."

Motion: J. Gaite

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Town Administrator Presents:

Concerned Citizen Request

TA Shepard stated that Denise Kimball submitted a concerned citizen form regarding a concern discussed by the Board last summer. R. Sabourn stated that the concern is regarding 21 Sleepy Hollow Road and relates to a concrete foundation done by Matthew Atwood on land owned by the Kimball family. This was done without the permission of the Kimball's on land they own and without any town obtained ZCA.

Denise explained that this concern has been ongoing for a long time and she is in a lengthy process to evict the tenants from her property. She further explained that her attorney has advised her to bring the violation of the town ordinance to the Board of Selectmen. She also referenced the fines that the town can assess to Mr. Atwood for being in violation of the town ordinance. Denise questioned if there would be a penalty for violating the ordinance.

Discussion continued on the status of the units in that area. R. Sabourn stated that she is in civil litigation and the encroachment on Denise's property needs to be addressed. Denise explained that she is addressing these issues legally and would like the Board to address the zoning ordinance violations. R. Sabourn explained that the landowner is responsible for obtaining permits for structures on their own land, and any penalties that the Board assesses would be to the property owner, not Mr. Atwood. R. Sabourn recommended that the Board do not take action on this violation for this reason, until the legal proceedings brought forth by Denise Kimball against Mr. Atwood are resolved. Discussion continued on the legal responsibility of the town and the property owner.

Denise explained that she is making the town aware of this situation and her intention is to have the structures removed if granted by the court. The Board agreed that the Town cannot assist her in a civil legal matter regarding activity that her tenant did illegally on

her property. The Board recommended that Mrs. Kimball continue with her own legal action in progress and the Board will not take any further action at this time.

Town Report Dedication

The Board discussed the dedication of the 2019 Town Report and unanimously agreed on who that person would be.

Conservation Commission (CC)

TA Shepard shared with the Board information relative to a proposal of the Conservation Commission to sponsor a photo contest. The Board reviewed the information submitted by the CC. The Board agreed that if this event was approved by the BOS, the administration of the contest would be the sole responsibility of the Conservation Commission and the BOS and Town Hall Staff would not have any role in the contest. The members of the BOS do not want to be judges for the contest as proposed by the CC. The Board had concerns over the use of town funds for cash prizes. They did not feel this was an appropriate use of taxpayer dollars. Discussion followed relative to the Conservation Commission seeking donations to assist with the prizes offered for the contest. TA Shepard informed the BOS that the Conservation Commission is on the agenda to meet with the BOS at their February 12, 2020 meeting and suggested the board continue this conversation at that meeting. TA Shepard will let the CC know of the board's concerns and ask the CC to hold off on the contest until after they meet with the Board.

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

5:00 p.m. Review Final Warrant and 2020 MS-636

TA Shepard informed the Board that this discussion is to review the final warrant and the 2020 MS-636. The warrant articles cannot be finalized until February 4, 2020 as the petition warrant articles are not due until this date. The MS-636 is not finalized until after town meeting.

Warrant: TA Shepard shared the minor changes made by the Planning Board on the proposed Zoning Amendments.

At the last BOS meeting, J. Monti had requested that TA Shepard include the 2019 Revenues and Expenses on the MS 636 to assist with year to year comparisons. TA Shepard provided that as part of the MS 636 review. TA Shepard also supplied the BOS with a spreadsheet showing revenues and the account numbers used to reflect the revenues on the MS 636. The final budget figure was included in this discussion.

TA REPORT CONTINUED

Cable Advisory Committee Discussion

TA Shepard informed the Board that she is making progress in getting a meeting set up with Spectrum. She contacted the NH PUC and had a lengthy conversation with a staff member. He informed TA Shepard that the NHPUC could not assist with this issue because the State of NH does not regulate cable, internet or phone companies. This contact at NHPUC did volunteer to reach out to his contact at Spectrum and encourage

them to contact TA Shepard to assist with the issues the town has with Spectrum and to start the contract negotiations for 2021. TA Shepard and Selectman Monti will continue to work on this issue.

2020 Initial Boundary Validation Program

TA Shepard reviewed with the BOS the US Census Bureau verification of town boundaries. Desiree Mahurin, AA has reviewed the map supplied by the US Census Bureau with the Town of Thornton zoning map and feels comfortable that the map supplied by the Census Bureau is accurate. The board reviewed the map as well.

MOTION: "To sign the 2020 Initial Boundary Validation letter from the US Census Bureau."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Certification of Appointment

MOTION: "To appoint Caroyln Piantedosi as a ballot clerk for a two-year term."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Two republican ballot clerk positions are open and need to be filled by February 11, 2020. On February 4 at 2:00 p.m., Bob McCloud and Town Clerk Monti will show staff and election personnel how to use the ballot box. John Piantedosi has volunteered to be the pro tem Moderator.

Trustee of Trust Fund Request

MOTION: "To request funds from the Trustee of Trust Funds in the amount of \$7,155.30 from the Municipal Buildings Capital Reserve for the Transfer Station Renovation project, Dumont Construction."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Wanosha Integrated Project

Brook Brown will be meeting with the Board of Selectmen on February 26, 2020. The final decision of the EA has not been made yet. Mr. Cowie has sent numerous letters to the town referencing different points of information regarding this project. Mr. Cowie has provided copies of the information he has to the Town so that they can discuss this further with the Forestry Service. This information was presented to the Select board to review prior to the meeting in February. The Board discussed that the Forestry Service previously agreed to work with the town road agent concerning the Town's concerns with the forestry project, and this has not occurred.

NHMA Town and City Publication

TA Shepard informed the Board that the town currently receives seven copies of the Town and City Publication. Three additional copies have been ordered for the Police Department, Town Clerk, and Planning Department. This will cost an additional \$25 per year for each additional copy. The Board agreed that this is important and approved the additional orders.

DTC – Public Rights of Way Regulation

DTC requested that the town send ordinances or town regulations regarding roads, right-of-way, excavation, etc. TA Shepard, AA Mahurin and B. Regan are compiling this information and will be submitting to DTC as requested.

Town Credit Card

TA Shepard informed the Board that she has researched applying for a town credit card. She has completed an application from Northway Bank. TA Shepard would like to receive one credit card and she would be in charge of the authorization of payments. Other department heads will be able to access and use the card when necessary. TA Shepard will also create a draft Credit Card Policy for the Board's review and adoption in the near future.

MOTION: "To give Town Administrator, Debra Shepard the authority to apply for a credit card for the Town of Thornton."

Motion: R. Sabourn

Seconded: J. Monti

Discussion: Discussion followed relative to how the credit card will be used and the process going forward. The BOS indicated it made sense to use the credit card instead of reimbursing employees for out of pocket purchases when items or services are needed that can't wait for the two-week A/P process.

Motion Passes: 4 – Yes, 0 – No

SELECTMEN REPORT

Vice Chairman Sabourn informed the Board that he discussed the Mill Brook Road issues regarding the forest service projects with Road Agent Kubik. The Forest Service has been in contact with the Road Agent regarding the load limit on the Gore Bridge because they are working on a forest project in that area. RA Kubik suggested that they meet with the Board of Selectmen to discuss their request.

5:35 p.m. MOTION: "To adjourn."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 - 0

Respectfully submitted,

Jessi Fleury
Board Secretary