



TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: 6 19 19
BOS Initial: ASRB
Rec'd by Town Clerk on: 6/24/19
Town Clerk Initials: djm

Board of Selectmen Meeting Minutes June 5, 2019

5:00 P.M. Chairman Brad Benton opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

ROLL CALL: Chairman Brad Benton Vice-Chairman Roy Sabourn, Marianne Peabody, and Selectman John Gaites.

ABSENT: Selectman Joseph Monti

STAFF PRESENT: TA Debra Shepard

MOTION: "To approve the payroll manifest dated 6/7/2019 in the amount of \$26,599.39"

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No Abstained: M. Peabody

MOTION: "To approve the vendor manifest dated 6/7/2019 in the amount of \$250,934.86"

Motion: J. Gaites

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

ZCA Review

Selectman Sabourn stated that during the last meeting, the Board discussed a revised zoning compliance application that clarified the original application relative to the flood zone.

MOTION: "To accept the revised Zoning Compliance Application form as presented today."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve an extension for ZCA #2017-19 for PID #17/12-8."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve ZCA #2019-18 for PID #11/4-29 for a 48'x48' house on Millbrook Road Lot 1."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Minutes

MOTION: "To approve Board of Selectmen public meeting minutes of May 22, 2019 as amended."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve Board of Selectmen nonpublic meeting minutes of May 22, 2019 as submitted."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: M. Peabody

TOWN ADMINISTRATOR REPORT

Capital Reserve Request

MOTION: "To approve a request for funds from the Police Cruiser and Equipment capital reserve account in the amount of \$4,681.85 for Motorola equipment for the cruisers."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve the request for funds from the Assessing capital reserve account in the amount of \$7,285.00 for the revaluation project."

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Permit for Licensure of Utility Poles – Underground Conduit

TA Shepard presented a license for utility poles from Time Warner. RA Kubik has reviewed and signed the license.

MOTION: “To approve the Permit for Licensure of Utility Poles for an underground conduit for Time Warner.”

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: “To approve the Town of Thornton Roadway Excavation Permit for the Utility Poles project for an underground conduit for Time Warner.”

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: TA Shepard stated that RA Kubik has already reviewed the permit application as well.

Motion Passes: 4 – Yes, 0 – No

HEB Change Order

TA Shepard presented a change order from HEB for the Berm Project to decrease the work order by \$2,825.00.

MOTION: “To approve the work order change #4 from HEB Engineers to reduce the original estimate by \$2,825.00.”

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Events Committee

TA Shepard presented some information regarding upcoming events that the Events Committee intends to organize in town.

The Board discussed the town wide yard sale event and agreed that the date proposed presents some concern with the Boogie 'n Blues event dates due to the increase in traffic, police activity, and camping vehicles. The Board asked that TA Shepard convey the board's concerns for further consideration by the Events Committee.

Primex – Workers Comp and Property Liability Provider

TA Shepard informed the Board that a three-year CAP Agreement was received from Primex. TA Shepard said she researched this and found that in 2017 the Board did not want to sign a three-year contract but instead preferred to review annually. Discussion followed regarding the pros and cons of a CAP Agreement. The Board is satisfied with the services they receive from Primex and this CAP Agreement will help with budgeting.

The increase from last year was 4.6% in unemployment, 9.5% in workers' comp., and decrease of 6.8% in property-liability insurance. Early in 2019 the Town of Thornton received a reimbursement from Primex of over \$11,000 from a 2018 rate holiday review.

MOTION: "To approve the three-year CAP Agreement with Primex as presented."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Town Email Address Request

TA Shepard informed the Board that she researched Selectman Monti's request to acquire Town of Thornton email addresses for all Board members. The Town's IT Provider, Tom Sawyer informed TA Shepard that he can provide town email addresses for board members that would be accessible through a Microsoft exchange server. This would cost an additional \$20 per month on the town's contract with his company. The Board agreed that this is a good idea and that TA Shepard should inform Mr. Sawyer of their agreement to set up the new email accounts.

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

Selectman Brad Benton recused himself as Chairman of the meeting and Vice-Chairman Sabourn resumed the meeting as acting Chair.

6:00 Public Hearing – Special Event – White Mtn Boogie and Blues Festival

Present: Chief Miller, Brad Benton, Chief Defosses

Vice Chairman Sabourn opened the public hearing at 6:00 p.m.

The Board reviewed the special event application checklist and agreed to the following:

- The notice was read into the record, abutters were sent certified notice and notices were placed on April 16, 2019 in the Record Enterprise, at the Town Hall, Transfer Station, School, PEG channel, and on the town website, meeting posting requirements.
- Abutters have been notified via certified mail and all posting requirements have been met.
- The Board agreed that a special event license is required.
- Applicant's submission requirements have been met.

The White Mountain Boogie 'n Blues Special Event to be held August 16, 2019 through August 18, 2019 on property owned by Brad C. Benton and Helen Steele at PID #10/3-37 at 2015 NH Route 175.

Applicant Presentation of Event

Brad Benton explained that the event will run the same as last year from Friday through Sunday, 5:00 p.m. to 10:00 p.m. on Friday night, 11:00 a.m. to 10:00 p.m. Saturday night with fireworks ending by 11:00 p.m., and 11:00 a.m. to 6:00 p.m. on Sunday. Everything else will be the same as previous years.

The Board agreed that final pre-event inspections will be completed by the Police Department, Fire Department, Emergency Management, and Health Officer on Thursday, August 15, 2018 at 6:00 p.m. Chief Defosses and Chief Miller agreed that they will attend as well to complete the pre-event inspection unless an emergency situation arises.

Public Input

No public input was received.

Selectman Discussion

The application was reviewed.

Health and Safety Checklists

Chief of Police

- Written recommendations were submitted to the file: yes, Chief Miller stated that last year there were no arrests made. Suggestions were made for minor schedule changes in Police coverage to reduce coverage hours on Friday night and add hours for Saturday night.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no

Fire Chief

- Written recommendations were submitted to the file: yes, there were no issues last year. The event operated smoothly.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no

Health Officer

- Written recommendations were submitted to the file: yes, all needs have been met.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no fees are required

Emergency Management Director

- Written recommendations were submitted to the file: yes, the emergency plans are in place.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no advance fees are required.

The Board reviewed the following requirement criteria:

- a. The site is appropriate for the proposed use or structure: Yes
- b. The proposal is not detrimental, injurious, or offensive to the neighborhood: Yes
- c. There will not be undue nuisance or serious hazard to pedestrian or vehicular traffic: Yes
- d. Adequate and appropriate facilities will be provided to insure the proper operation of the proposed use or structure: Yes
- e. The site provides sufficient parking: Yes

- f. Adequate sanitation/toilet facilities and waste removal will be provided: Yes
- g. All other required licenses (such as alcohol and food service licenses) have been obtained: Yes, these licenses will be received prior to the issuance of the special event permit.
- h. Neither the property owner nor the organization has failed in the past to pay any detail fees associated with past special events. No, all fees have been received.

Criteria has been met with the conditions as noted:

- Food licenses will be obtained before the final license will be distributed. No alcohol license will be needed.
- No additional requirements were submitted this evening by the Police Department, conditions set forth by Fire Department (see letter), any additional conditions required by the health officer will be submitted during the pre-event inspection, no additional requirements were submitted by the Emergency Management Director.

MOTION: "To approve the 2019 Boogie n Blues Festival Special Event License application with conditions as listed:

- The event will be held on August 16th, 17th, and 18th, 2019
- Permitted hours of operation of the event are Friday, August 16th from 5:00 p.m. through 11:00 p.m. Saturday, August 17th from 11:00 a.m. to 11:00 p.m. with fireworks ending by 11:00 p.m. and Sunday, August 18th from 11:00 a.m. to 6:00 p.m.
- The hours allowed for set up are August 12-16th 8:00 a.m. to 10:00 p.m. and breakdown August 19-23 from 8:00 a.m. to 5:00 p.m.
- Pre-event inspection will be conducted by all emergency departments on August 15, 2019 at 6:00 p.m.
- Recommendations from the Emergency Departments as specified in their letters.
- Food licenses will be obtained before the final license will be distributed."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3– Yes, 0 – No

Vice-Chairman Sabourn closed the public hearing.

Selectman Benton re-joined the meeting as Chairman.

Demolition of Town Owned Property

TA Shepard discussed demolishing the old camper owned by the Town via tax deed. It would take about a day for the Highway Department to demolish the camper and would require a rental of a dumpster. The Board agreed to move forward with this project.

TA Shepard informed the Board that Kevin McGuire asked if the town would consider establishing a sick bank policy. Per the Town's Personnel Policy, employees can accrue up to 240 hours of sick time. TA Shepard found that other municipalities have this policy and there are very clear guidelines. Discussion followed. The Board agreed to have TA Shepard research and provide more information for the Board to consider.

6:30 Thornton School Board – Capital Community Needs

Present: Barry Van De Moore Chairman of the School Board, Greg Campbell, Diana Daigle, Mark Fischler.

Mr. Van de Moore met with the Board to discuss a survey on the demographic study of the potential expansion of the Town of Thornton. The report has been received and indicates an increase in population again. Mr. Van de Moore discussed the need for more space at the elementary school. A priority list was generated to discuss actions needed to move forward as follows:

Classroom space/educational space. Mr. Van de Moore stated that additional classrooms are needed. Vice-Chairman Sabourn discussed a concern that the projected enrollment figure may not coincide with the actual births recorded in the recent town reports. D. Daigle stated that the projection also includes families moving in from other areas and would not be indicated on the birth reports that Mr. Sabourn is referencing.

Mr. Van de Moore discussed the growth of the school population for various reasons. He explained that in August 2019, there is discussion to convert art and technology rooms into a Kindergarten room and be creative as possible to utilize space. He explained that he is working to be proactive in the upcoming space needs for the school. He would like to start initiating plans within the next two or three years to add on to the building. The school board would like to work with the town needs so that tax payers are not receiving a large tax burden from both the school and the town.

Discussion continued on the town's need for election space and the use of the school building. R. Sabourn stated that as a taxpayer, he would like to see taxpayer funds allocated for expanding the school needs rather than town hall expansion, since the elections can be held at the school and this would allow the school to have additional space that is needed as well.

M. Peabody asked what the school board is proposing for an expansion. Mr. Van de Moore explained that they have some ideas to include adding two or three classrooms, a separate lunch room/Gymnasium, which could be a stand-alone entity that could serve as a meeting place during open school hours for the entire community. A new facility could be used for an emergency shelter for the town as well.

Discussion continued on the library growth and safety concerns for the Library location. R. Sabourn and M. Peabody agreed that including the library building in the expansion plans would be a benefit to the entire community. Increase in parking was also discussed.

M. Van de Moore anticipates some funds available in the current budget to use for engineering and planning costs.

The Board thanked the School members for meeting with them and discussing anticipated changes for the growth of the town.

7:15 Airbnb Discussion

TA Shepard presented a list of Airbnb properties in Thornton. M. Peabody stated that these properties should have a site plan review. She stated that the Fire Chief had some concerns with properties being used as Airbnb. The Planning Director suggested that the zoning ordinance needs to be updated to address this type of property use. R. Sabourn agreed to discuss the need to update the Zoning Ordinance with the Planning Board during their next meeting. TA Shepard will draft a letter from the BOS to the Planning Board.

Memorandum of Agreement – Radio Reprogramming Grant

Chief Miller presented an agreement for the Board to sign for application to the Radio Reprogramming Grant. This memorandum is to approve the conditions of the grant as recommended by the Police Chief.

MOTION: “To approve the Memorandum of Agreement for the Radio Reprogramming Grant.”

Motion: J. Gaïtes

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Social Media Policy

TA Shepard presented information on town social media policies to include rules and expectations for town use. The Board agreed that social media outlets for the Town must be managed by the town administration. It was agreed that the Town of Thornton Facebook page will include current events for all town departments and will be managed through the town office. The only exception is the Police Department. They will maintain their own social media but will be included in the development and implementation of the Social Media Policy for the Town of Thornton.

Selectman’s Report

Blake Mountain

Vice-Chairman Sabourn stated that he, Brad Benton as code enforcement officers and Marianne Peabody as Health Officer, met on May 20, 2019 at Blake Mountain Cottages as discussed at the previous board meeting. Mr. Shubov provided a copy of his meals and rentals tax operator license from the State expiring June 20, 2019.

Mr. Shubov is trying to sell the property and has a potential buyer. R. Sabourn stated that based on the progression of work at the property, a 90-day extension is in the best interest of the town. The Board agreed. TA Shepard will send a letter to Mr. and Mrs. Shubov.

MOTION: "To grant Mr. Shubov a 90-day extension to continue working on the Blake Mountain property as previously agreed."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Valley Brook Cottages

Vice-Chairman Sabourn stated that he, Brad Benton as code enforcement and Marianne Peabody as Health Officer met on May 20, 2019 with Dan Reese, Valley Brook Cottages regarding a tiny house structure. During the discussion, Mr. Reese insisted that the structure was a camper. Mr. Benton made Mr. Reese aware that as soon as the camper was enclosed and attached to other buildings or other structures, it is no longer a portable camping unit. Mr. Reese informed the board members during their visit that the structure belongs to his niece and he would like permission to have it removed by August 1, 2019. The Board discussed the request and agreed with the deadline date for removal.

MOTION: "To send Dan Reese a letter confirming that the Board will allow until August 1, 2019 for the tiny house to be removed from the property."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Waterville Estates Lot

R. Sabourn stated that Mary Conn received an inquiry from an abutter to town owned property in Waterville Estates, referenced as PID #17/17-30 on Snowood Drive. The abutter is interested in purchasing this property. Attorney Conklin determined about 7 years ago that the town's title to this property was questionable and was not sure that the town was able to sell the property with a clear title. R. Sabourn asked the Board if they should ask Mr. Conklin how the town can sell this property now that 10 years has passed. After discussion, the Board agreed to contact Attorney Conklin.

MOTION: "To ask Attorney Conklin to look into the options available to the Town to sell PID#17/17-30."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Pinegrove Cemetery Trees

Chairman Benton informed the Board that Parker Uhlman stated that the Town can remove the hazard trees along the cemetery perimeter as discussed previously. He requested that he be allowed to keep the logs and if possible, he would like to have them brought to his father's sawmill. If they cannot be brought to the sawmill, then he requested that they be left on his property. Mr. Uhlman indicated that he plans to log all of the pine trees around the cemetery this winter. The Board discussed waiting to remove the trees, with the hope that Mr. Uhlman will remove them this winter when he logs the other pine trees. The Board agreed to have Mr. Benton continue discussions with Mr. Uhlman about the tree removal.

8:03 Non-Public Session (Non-public pursuant to RSA 91-A: 3, II (b-hiring and I-legal))

MOTION: "To enter into non-public session pursuant to RSA 91-A: 3, II (b-hiring, I-legal)."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Roll Call: Selectwoman Peabody – yes, Selectman Benton – yes, Selectman Gaites – yes, Selectman Sabourn – yes.

Motion Passes: 4 – Yes, 0 – No

8:16 p.m.: MOTION "To come out of non-public session."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To allow a highway department employee one week unpaid maternity leave in the near future."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To make a conditional offer of employment for the permanent part time transfer station attendant to candidate #1, Labor Grade 2 Step 5 for a minimum of 24 hours per week."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To not accept the proposed settlement offer from Mr. Mahmoud and Mr. Smith, dated May 24, 2019. The Board agrees to accept nothing less than the full amount of taxes, interest, attorney fees and civil penalties as awarded."

Motion: M. Peabody
Seconded: J. Gaite
Discussion: None.
Motion Passes: 4 – Yes, 0 – No

8:20p.m. MOTION: "To adjourn."

Motion: B. Benton
Seconded: R. Sabourn
Discussion: None.
Motion Passes: 4– Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary