



TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: 7/1/19
BOS Initial: pas
Rec'd by Town Clerk on: 7/2/19
Town Clerk Initials: deph

Board of Selectmen Meeting Minutes June 19, 2019

12:00 P.M. Chairman Brad Benton opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

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

STAFF PRESENT: TA Debra Shepard

MOTION: "To approve the payroll manifest dated 6/21/2019 in the amount of \$37,017.29."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: M. Peabody, J. Monti

MOTION: "To approve the vendor manifest dated 6/21/2019 in the amount of \$276,802.64"

Motion: J. Gaites

Seconded: J. Monti

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Minutes

MOTION: "To approve Board of Selectmen public meeting minutes of June 5, 2019 as amended to include a correction in the hours for the Boogie 'n Blues Festival motion to August 16, 5p.m. to 11pm, August 17 11a.m. to 11p.m., and August 18, 11a.m. to 6 p.m."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve Board of Selectmen nonpublic meeting minutes of June 5, 2019 as submitted."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No Abstained: J. Monti

ZCA Review

MOTION: "To approve ZCA #2019-19 for PID #10/13-2 for three storage buildings."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To deny ZCA #2019-20 for PID #13/6-7 for a 20-foot yurt and a shed."

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: R. Sabourn stated that the applicants plan was presented to the planning board as a structure to be rented as a business. The Planning Board informed the applicant that he would need to complete a site plan review and receive permission for an exception since this a nonresidential use and not an allowable use. He was instructed that the ZCA application would be the last step in this process. The applicant did not follow the steps required prior to submitting the ZCA.

Motion Passes: 4 – Yes, 0 – No

Abstained: J. Monti

TOWN ADMINSTRATOR REPORT

Excavation Gravel Pit

B. Regan informed the Board that he has been working on updating excavation pit files to make sure that they have intents filed with the state, bonds and permits in place. He stated that the Caulder gravel pit permit has expired. Notice was sent to the gravel pit owner informing them of the expiration. Mr. Regan was informed that Caulder would file a renewal permit, and Mr. Regan sent him the required documents. Mr. Regan has not received any response back from the gravel pit operator/owner. The insurance company that issued the bond sent documentation to the town that the bond was going to be canceled at the end of this week. Mr. Regan recommended that the town contact the insurance company about the expiring bond. R. Sabourn stated that it does not appear that the pit is on operation but has not been reclaimed or closed. R. Sabourn agreed with Mr. Regan that the town should call the bond to finish and clean up the area. Mr. Regan agreed to draft the letter to the insurance company and the Board agreed to sign it by the end of the day.

MOTION: "To draft a letter to the insurance company informing them that the town intends to call the bond."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Town Administrator Report

TA Shepard presented a letter that was drafted to the Planning Board in reference to Airbnb properties in Thornton as discussed at their previous meeting.

MOTION: "To approve the letter to the Planning Board drafted by the Board of Selectmen relative to their zoning concerns with Airbnb."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

TA Shepard presented a letter drafted to Cornerstone Energy (Eversource /PSNH) regarding their easement request through the Thornton Transfer Station. The letter informs Eversource that the Thornton Board of Selectmen do not agree to provide a written easement but will make sure that Eversource can acquire the access they need to maintain their power lines.

MOTION: "To approve and sign the letter drafted by the Board of Selectmen, as written, to Cornerstone Energy Inc. relative to their easement request."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Valley Brook Cottages

TA Shepard presented a letter from the Board of Selectmen to Mr. Reese requiring him to have the tiny house removed by August 1, 2019. The Board reviewed the letter.

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

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Abatement Requests

MOTION: "To approve an abatement request for campers for Robert Gosselin \$40.00 and Ken Larry \$71.00, and Kevin and Laurel Ciechon \$60.00 at Pemi River Campground and Goose Hollow Campground."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve PA-16 application for reimbursement to towns and cities for federal and state forest land."

Motion: M. Peabody

Seconded: J. Monti

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To issue and approve a special event license for the Boogie 'n Blues Festival."

Motion: M. Peabody

Seconded: J. Monti

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Abstained: B. Benton

Dog Licenses

TA Shepard presented the Town Clerk's 2019 warrant for unlicensed dogs.

MOTION: "To approve and sign the 2019 warrant for unlicensed dogs."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve a Town of Thornton Roadway Excavation Permit for the telephone utility company."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the license for utility poles and underground conduit for the telephone company on Orris Road."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

TA Shepard informed the Board that she received an email from C. Antonides on Judges Road expressing frustration with the amount of time it takes for utility companies to put the roads back to their original condition after they do work on town roads. TA Shepard stated that the Roadway Excavation permits allow for the town to request an irrevocable letter of credit. She explained that Lakes Region Water (LRW) and NH Electric Coop have been doing utility work on Judges Road and it has been ongoing for several years. TA Shepard suggested that the Board require an irrevocable letter of credit to address Roadway Excavation Permits that are not completed in the future. R. Sabourn discussed that a bond would be more appropriate than an irrevocable letter of credit. TA Shepard also suggested working with the Road Agent to provide a clear notice and expectations to the utility companies as to when the roadway must be repaired to its original state after approving a Roadway Excavation Permit. The Board agreed.

The Board agreed to have the Town Administrator draft a letter to LRW and NHEC stating that the roadway repairs must be complete by July 31, 2019.

MOTION: "To have the Town Administrator draft a letter to Lakes Region Water and NH Electric Coop informing them that they have until July 31, 2019 to repair Judges Road due to work completed from their Roadway Excavation Permit."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: R. Sabourn also suggested revising the permit to require posting a bond for road repairs.

Motion Passes: 5 – Yes, 0 – No

Historical Document Request received by the Town Clerk

TA Shepard discussed an email received by Town Clerk Donna Monti from an Amateur Historian Collector from Concord NH regarding a document in his possession from the headquarters of the Adjutant Inspector General's office dated April 15, 1824. It is an official one-page document with a state seal signed by Adjutant Inspector Joseph Law. It is a resignation of Captain Stephen Smith who was born and who died in Thornton and is buried in the Mad River Cemetery. He fought in the War of 1812 and his father was Captain Stephen Smith who fought in the American Revolution. This is an original document not a facsimile and he would like to sell it to the Town of Thornton for \$100. The Board discussed the request and agreed that the Town does not have an active Historical Society and recommended that the Historian Collector contact that State of NH Archives Department.

Highway Department Vehicle Repairs

TA Shepard presented a request from RA Kubik regarding the 2011 F550 which is already in the repair shop having substantial repair work completed. The repair shop has found additional work that needs to be completed to repair a leak in the turbo charger. This additional work was quoted at \$3,500. This is in addition to the \$8,000 that was already approved during a previous meeting. The Board discussed the repairs and the vehicle as well as the capital improvement program. The Board agreed to approve the repairs and to have a further discussion with the CIP relative to vehicle longevity.

MOTION: "To approve up to \$3,500 for additional repairs to the 2011 F550 as discussed."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Public Input

Mr. Mahmoud came in under public comment to meet with the Board. He had some questions relative to the subdivision and driveway located at Maher Drive. TA Shepard clarified that Planner Brian Regan has corresponded with town counsel relative to this subdivision and town counsel will be sending a letter to Mr. Mahmoud to clarify this issue.

Mr. Mahmoud asked the Board if he could give two of his lots to the town in lieu of paying the court awarded attorney fees and civil penalties. Vice Chairman Sabourn explained to Mr. Mahmoud that the Town of Thornton currently owns these lots and that Mr. Mahmoud will need

to pay all funds due to the Town of Thornton in order to purchase these lots back. Mr. Mahmoud further asked the Board if he pays the back taxes owed on the properties, they are then deeded back to him, if the Board would be willing to take a few lots in exchange for the court ordered attorney fees and civil penalties. TA Shepard stated that she did not believe the Board could take property in lieu of court ordered payments.

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

1:30 Tax Deeding and Review Schedule

TA Shepard presented the initial print out of tax deeded properties. The Tax Collector will send out notices to the property owners and will provide an updated list to the BOS for their July 17th meeting. At that meeting, the BOS will decide which BOS members will inspect the properties and decide if a waiver is necessary. Selectman Gaites and Selectwoman Peabody volunteered to inspect the properties after July 17th.

TA Shepard stated that one property that has been waived for tax deeding for many years is reaching a high past due tax amount of \$42,566. This property's taxes have been waived for 10 years. The Board discussed the property. R. Sabourn asked that the Town Administrator and Tax Collector to research the town's options concerning this property.

Selectmen Presents

M. Peabody stated that the Beautification Committee has been meeting Monday mornings to complete the weeding of the gardens. She stated that the committee will complete these tasks this year but would like someone else to take over maintenance of the town's gardens going into the future. Selectman Monti suggested contacting the Town of Campton to see how they maintain their town gardens. TA Shepard offered to post something on the town's website seeking volunteers to maintain the flower beds.

M. Peabody stated that she noticed the Police Department driveway needs some repair and she requested having Road Agent Kubik take a look at it. TA Shepard will follow up with him.

J. Monti was contacted by Brook Brown from the White Mountain National Forest and was informed that they plan to reach out to RA Kubik this week or next week to walk Millbrook Road regarding the need for turn outs. J. Monti would like to make sure that the evaluation of the safety of Millbrook Road for the logging project is discussed, not limited to the turnouts. Mr. Monti asked that RA Kubik be made aware of the Board's safety concerns as a whole and not only turnouts so that RA Kubik can discuss that with the National Forest Service.

J. Monti stated that Brook Brown informed him that the National Forest will schedule to with the Board of Selectmen again after the site visit with RA Kubik to address the Board's concerns.

TA Shepard will also contact the National Forest Service to be sure they communicate through the Town Office rather than a Selectman in the future. The Board discussed their hopes to be able to work with the Forest Service to alleviate some safety concerns relative to the logging project.

1:45 USDA Grant – Police Department

Chief Miller informed the Board that the Town was awarded the grant for the radios (35% match) and the cruiser camera system (35% match) for a total of \$6,600 in grant funds. Chairman Benton will sign acceptance of the grant.

MOTION: “To accept the USDA Grant.”

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

2:00 State of NH DOT – Merrill Access Road Land Discussion

Present: Chief Miller and Brian Regan

Chief Miller informed the Board regarding the options available from the State of NH DOT relative to the land around Town Hall that the state owns. After discussing the options available to the BOS, it appears the best solution would be to purchase the land. R. Sabourn reminded everyone that the Town would not be able to purchase land at fair market value without a vote at town meeting. R. Sabourn also cautioned that there could be survey work involved in acquiring this piece of land. He explained the process and fees that are needed to have the assessment made to declare if this is State surplus land. Chief Miller said he would be happy to look further into this process with the State.

Selectman Monti suggested contacting State Senators to see if the Town would be able to acquire the land for free since its being used for the public good. He also encouraged a conversation with Bill DeLeo, CIP, regarding the purchase of land for open space. B. Regan stated that there may also be grants available for acquisition of land for public use. B. Regan shared that if the town were to obtain a temporary lease of the land and the residents were able to see how the land could be used, they may be more open to purchasing the land in the future. Discussion followed on concerns with putting a permanent structure and utilities to land the town does not own. Chief Miller agreed to contact the Senator offices regarding assistance with acquiring the land.

2:30 Transfer Station Renovation Project Review

The Board met with Bob Dumont to discuss the proposed quote for the renovations of the Transfer Station and to get a better understanding of the project. There was some concern that at this quoted price, the Town of Campton may not have their share of the funds readily available. Discussion followed on ways to decrease the cost of this project. TA Shepard stated that in order of priority, she felt the bathroom, kitchen area and canopy over the recyclables would be needed to be done first and perhaps the TS Manager’s Office could be done at a later date. Discussion followed. S. Chiocca asked if there would be any cost savings if the TS staff helped with construction debris clean up. TA Shepard asked if the Highway Department could help with site work and help reduce costs that way. Discussion followed. S. Chiocca shared that 6-8 trees needs to come down. After further reviewing the site work quote, it was determined that it was very reasonable as presented and using town staff, would not significantly decrease the costs.

J. Monti stated that he feels the bid received by Bob Dumont is very reasonable. He would encourage all of the towns involved to find the funds to make this project happen this year.

Bill DeLeo discussed funds available in the Town of Thornton CIP and felt the funds are available to complete this project this year.

Discussion continued on the proposed plan. Selectman Monti suggested that S. Chiocca and K. McGuire meet with Bob Dumont to review the plans on site to see if any changes or alterations need to be made for operational purposes. Bob Dumont was happy to do that.

TA Shepard will contact DRA to clarify how the CIP and Capital Reserve Funds can be used to complete this project.

R. Sabourn asked Bob Dumont to provide a cost difference to the Board showing the difference in cost if the office renovation was completed in a later phase. B. Dumont agreed to provide a cost difference to the BOS for their meeting with the Towns of Campton and Ellsworth to discuss this project. The Board agreed that it is in the best interest of the Town of Thornton to complete the whole project this year. However, if for funding reasons it cannot be completed this year, there will be other options.

TA Shepard informed the Board and Mr. Dumont that she will contact Campton and Ellsworth and try to set up a meeting for the second week of July to discuss how to proceed on this project.

3:00 Sick Bank Policy

TA Shepard stated that an employee approached her about creating a Sick Bank Policy for the Town of Thornton. TA Shepard presented a draft Sick Bank Policy for the Board to review. This was created using a similar policy adopted by the Town of Gilford. The Board reviewed the draft policy. Discussion followed on the maximum amount of time an employee can donate. Selectman Monti felt the amount should be up to the employee. R. Sabourn disagreed and stated he feels there should be a cap on the number of hours that employees can donate so that an employee is not left without any sick time available for their own use. He suggested a donation cap of 160 hours which would leave the employee 80 hours of sick time for their own use if needed. This is based on an employee who is at the 240 hours maximum of sick time as allowed by the Town of Thornton Personnel Policy.

After further discussion the board agreed to cap the amount of donated sick time by a single employee to 160 hours and the total amount allowed to be donated to one employee at 480 hours per year.

J. Monti suggested a donating employee should have the option of keeping the donations private and anonymous. The Board agreed to add that language to the policy.

MOTION: "To approve the Sick Bank Policy as amended to include a maximum number of donated hours by one person to 160, with a requirement that a donating employee must keep at least 80 hours of sick time at all time for their own use, and to allow the donating employee to remain anonymous if they so choose".

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Non-Public Session pursuant to RSA 91-A: 3, II (1-legal)

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

Motion: B. Benton

Seconded: J. Monti

Discussion: None.

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

Motion Passes: 5 – Yes, 0 – No

3:47 p.m.: MOTION "To come out of non-public session."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To request that Attorney Whitley draft a letter to Mr. Mahmoud in response to his settlement offer and subdivision clarification."

Motion: J. Gaites

Seconded: J. Monti

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

3:49 p.m. MOTION: "To adjourn."

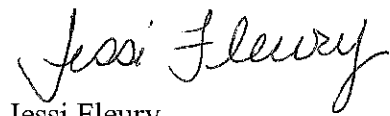
Motion: B. Benton

Seconded: R. Sabourn

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,



Jessi Fleury
Board Secretary