



## **TOWN OF THORNTON BOARD OF SELECTMEN**

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

Approved on: 9-25-19  
BOS Initial: MP  
Rec'd by Town Clerk on: 9/30/19  
Town Clerk Initials: djm

### **Board of Selectmen Meeting Minutes September 11, 2019**

**4:02 P.M. Vice Chair Roy Sabourn opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance and took a moment of silence in memory of September 11, 2001.**

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

**ABSENT:** Selectman Joseph Monti, Chairman Brad Benton arrived at approximately 4:30 pm

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

#### **4:00` Request from BOS Member to participate via telephone**

Selectman Monti had requested to join the meeting via telephone due to a ceremony he planned to attend in Washington DC in memory of 9/11. Chairman Benton informed the board that Selectman Monti rescinded that request and asked that the discussion be tabled until the next meeting. Vice Chair Roy Sabourn stated to the board that he was not in favor of allowing remote participation unless in the case of an emergency. Discussion followed relative to past practice of the board. TA Shepard stated that in her research, she found that other towns do allow remote participation for emergency purposes and RSA 91-A:2 II allows, but does not require, that boards allow members to participate in meetings by telephone if their attendance at the meeting is not reasonably practical.

All board members present agreed that there was no reason to not discuss this issue this evening. Vice-Chairman Sabourn feels that Board members should not participate via telephone unless there is an emergency situation if there is a quorum. He does not feel it is fair for the other board members, the recording secretary, or the members of the public. All board members present agreed that participation via telephone should not occur without prior authorization, only under rare circumstances and for a specific agenda item, not the entire meeting. The board members present agreed that they do not want to set a precedent that this practice should occur on a regular basis. This should be for emergencies only, such as a legal or personnel issue. Selectman Peabody suggested that a policy be drafted for final discussion during the next meeting when Selectman Monti is present. The Board agreed. TA Shepard will have a draft policy prepared for the September 25, 2019 board meeting.

**MOTION: "To approve the payroll manifest dated 9/13/2019 in the amount of \$27,862.30."**

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: B. Benton**

**MOTION: "To approve the vendor manifest dated 9/13/2019 in the amount of \$257,421.38"**

Motion: J. Gaites

Seconded: R. Sabourn

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: B. Benton**

#### *Minutes*

**MOTION: "To approve Board of Selectmen public meeting minutes of August 28, 2019 as presented."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: B. Benton**

**MOTION: "To approve Board of Selectmen nonpublic meeting minutes of August 28, 2019 as presented."**

Motion: M. Peabody

Seconded: R. Sabourn

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: B. Benton**

#### *ZCA Review*

**MOTION: "To approve ZCA #2019-35 for PID #10/5-8-02 , for a32x32' garage."**

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2019-36 for PID #15/3-6-1, for a 12x10 shed. "**

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve ZCA #2019-37 for PID #17/1-3-16, for a 42x55' house with a garage."**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

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

**John Kubik, Bruce Rodgers – Highway Department CIP**

RA Kubik and B. Rodgers met with the Board to discuss the CIP requests for 2029 for the Highway Department.

RA Kubik explained that six years ago the town purchased an excavator to see if it was a piece of equipment that would be beneficial and useful for the highway department to complete ditching and drainage work. This has proven to be a good machine and a good purchase for the department. RA Kubik explained that parts are still available for this machine and recommends moving its replacement back four or five years to 2023 in the CIP.

RA Kubik stated that the backhoe is starting to show age and the engine may be getting weak. It is scheduled for replacement this year. A brand new CAT replacement is about \$120,000 plus \$16,000 for a new sweeper broom. The funds in the CIP currently will cover the new backhoe but not the broom. RA Kubik discussed purchasing a used backhoe and sweeper. R. Sabourn asked if the current sweeper would fit a new backhoe. RA Kubik explained that the current broom is worn and has been repaired each year but will need to be replaced. The backhoe still runs but is scheduled to be replaced this year.

The excavator and grader are now scheduled to be replaced in 2023.

TA Shepard stated that the backhoe and the excavator were scheduled for replacement in 2019. There is \$125,000 available in the CIP for equipment purchases in 2019. RA Kubik does not suggest purchasing a used broom. He would like to purchase a new broom as its difficult to find a used one in good condition. RA Kubik recommended purchasing a newer, used backhoe and a new sweeper.

R. Sabourn confirmed that there is no scheduled purchases in 2020. RA Kubik agreed.

B. DeLeo stated that there are funds in the CIP for a used backhoe and a new sweeper. He is concerned with the timeframe it may take to find and purchase a used machine. B. DeLeo asked what the life expectancy is of the current backhoe. RA Kubik stated that it is not in need of immediate replacement and may last for one more year of sweeping.

The Board discussed purchasing used equipment versus new equipment. RA Kubik confirmed that the old sweeper can be attached to a new backhoe. The Board suggested purchasing a brand new excavator and adding the sweeper to the CIP for 2021. B. DeLeo told RA Kubik that a new CIP form needs to be submitted for these changes.

RA Kubik discussed his request for a mower attachment. He stated that the Town of Campton paid \$3,200 per week in rental rates for a mower (which would total \$32,000 for 10 years) from HP Fairfield. He recommends purchasing a used mower rather than renting one due to high cost and would allow more availability. The mower would need to be added to the CIP for purchase in 2029.

B. DeLeo asked what RA Kubik's intentions are for the F-550. Kubik explained that he is planning to keep the 2011 as a back-up vehicle and it would not be part of the CIP. This truck will be used for the new Highway Department employee. The 2005 F550 is now officially out of the CIP plan and should be removed from the inventory list. Once the new F550 is purchased, the only back-up vehicle will be the 2011 F550.

The Board discussed and approved the Highway Department CIP Requests as submitted and amended.

Vice-Chairman Sabourn stated that National Forest Service employees will be meeting with town officials at Millbrook Road on Tuesday, September 24, 2019 at 2:00 p.m. and asked that the Highway Department come up with some thoughts and ideas to create places in the road for a log truck and a vehicle to pass safely. R. Sabourn requested that the Highway Department be prepared with some ideas to improve some areas so that they can be presented to the National Forest personnel during the site visit. RA Kubik believes that some trees will need to be removed in order to create a safer passing area and could make a positive difference. R. Sabourn recommended marking the trees for discussion in time for the meeting on September 24<sup>th</sup>. R. Sabourn agreed that the scenic road process could be started in order to remove some trees if there is a need and it is a sensible request.

#### **Sergeant Dan Gilman – Police Department CIP**

Sergeant Dan Gilman met with the Board to discuss the CIP request for 2029 for the Police Department.

TA Shepard stated that the CIP form is only needed when a previous request has changed or a new CIP request is submitted. They do not need to submit a request for every item in the CIP. B. DeLeo stated that AA Sandra Moulton has been informed of this.

Chief Miller sent a memo requesting that Car 3 be kept as a back-up vehicle once the 2020 cruiser is purchased, with the understanding that this vehicle would not be part of any future CIP plan. This vehicle would rotate into the back-up rotation and this would rotate the sedan out of the fleet. Bill DeLeo confirmed that at this time, there will be a total of two back-up vehicles (not included in the CIP) including Car 3 and the 2013 Taurus. Once the 2013 Taurus is no longer working, it will be offered for auction and removed from the inventory and the next newest cruiser will take its place as a back-up. Sergeant Gilman explained that the goal is to have two back-up vehicles that can be used for details, police academy, and for other non-patrol duties.

Sergeant Gilman stated that no new changes were proposed to the current CIP plan at this time.

Chief would like to add a sixth full time officer to the police roster and may need to have a vehicle added to the CIP in the future. Chief had also proposed adding an unmarked vehicle for the Chief without all the equipment needed for a line car. He estimated the cost at \$25,000 with siren, deck lights, and a radio. Sergeant Gilman explained that all the other equipment will not be necessary as this will not be a patrol car. If Chief has to respond to a call, he will take a patrol vehicle from the Police Station.

The Board discussed and approved the Police Department CIP request as submitted.

### **Chief Defosses – Fire Department CIP**

Chief Defosses reviewed four requests for the CIP for 2029.

Chief Defosses requested to replace the 2007 Engine 1 in 2029. He feels that Engine 1 should last longer than 2029, and hopes to have it last 30 years. He placed it in the CIP as a safety net in case it is needed sooner than expected.

Bill DeLeo asked if there are grants available for the FD equipment. Chief Defosses explained that it is now more difficult to acquire a grant for FD equipment but it is possible. He explained that it has been over 10 years since they have received grants. He informed the board that he is looking into what the cost would be hire someone to assist with grant writing. He will keep the board informed of this process.

Chief Defosses requested to update the cost of the replacement of Car 2 which is the 2010 Tahoe. This would be in 2022. Originally he thought the cost would be around \$45,000. He has amended the cost to \$60,000. Chief explained that this new amount includes the cost of inflation and reflects the cost of a recently purchased pick-up truck. Chief informed the board that he will probably purchase a command pick-up truck instead of a Tahoe and this would be for safety reasons as discussed. Thornton's cost for this would be approximately \$27,000 and this amount will be updated in the CIP per B. DeLeo.

Chief Defosses submitted a CIP request to replace the Forestry Truck in 2029 that was originally purchased using grant funds in 2004. It would cost approximately \$35,000 for a cab and chassis (and swap the body) or \$105,000 for a full replacement. Again, this vehicle is also a low use vehicle and may have extended life as well.

Chief Defosses requested in 2024 to replace the 2012 ambulance purchased a few years ago. He hopes to be able to purchase a four wheel drive ambulance at that time. He estimates the cost to be approximately \$300,000.

B. Deleo discussed the discrepancies in the CIP for the Towns of Campton and Thornton. Chief Defosses stated that there are a few vehicles that are being funded in different years rather than coinciding with the other town. Chief suggested that both the CIP committees meet to discuss the plans. He assured the board that he submitted the same requests to both towns. B. DeLeo asked if the CIP committees could meet with Chief Defosses to discuss the discrepancies. The Thornton Selectmen agreed that it would be beneficial for both CIP committees to meet and to have Chief Defosses present to be sure his CIP needs are being met as a department head. Chief agreed to be present for this joint meeting and to schedule the meeting. Chief Defosses also agreed to send a copy of Campton's revised CIP to TA Shepard once he receives it.

The Board discussed and approved all CIP requests submitted by the Fire Department.

R. Sabourn discussed the purchase of the new ambulance this year. Chief explained that the ambulance being replaced has developed some transmission issues and was taken

out of service. He explained that the original plan was to send two employees to drive the ambulance to South Dakota and drive back the new ambulance. Chief explained that since the ambulance was having transmission problems he did not feel comfortable with it being driven to South Dakota. Arrangements were made for the ambulance to be transported to Sioux Falls at the cost of approximately \$2,700. The company selling the new ambulance, Arrow, took care of all the transportation costs for the old ambulance and airline reservations for the two Fire Department employees who were going to pick up the new ambulance. TA Shepard shared a breakdown of the costs as submitted by Arrow. Discussion followed relative to the transportation costs and airline tickets. TA Shepard stated that \$2,400 for two one-way airline tickets is way above the airfares she researched online for the same flights. The Board expressed their dissatisfaction with the travel arrangement costs made by Arrow and strongly recommended that these types of expenses be closely monitored. Chief Defosses said he was not aware of the final costs until the arrangements were already made. Chief Defosses agreed that in the future he will pay closer attention to the final details and make sure the costs are reasonable.

#### **BOS/TA – Town CIP**

TA Shepard included \$135,000 in the CIP for 2029 for the Assessing Revaluation costs. This projection is higher than the 2024 Assessing Revaluation due to unforeseen growth and assessing activity.

The Board discussed and approved the CIP request by the TA.

#### **Kevin McGuire, Steve Chiocca – Transfer Station CIP**

S. Chiocca discussed the need for a pick-up truck at the station in 2020 with an expected cost of \$30,000. The Town of Thornton's share would be approximately \$10,200. This would help with snow removal rather than having to use the backhoe which is very time consuming. B. DeLeo expressed concern that the Town of Campton may not be aware of the Transfer Station CIP requests. TA Shepard will forward the Transfer station CIP requests tomorrow to Campton Town Administrator Carina Park. This request will be placed in the Thornton CIP for purchase in 2020.

The Transfer Station also requested that the 2012 backhoe be replaced with another used backhoe in 2029 at an estimated cost of \$100,000. Thornton's share would be \$34,000.

The Board discussed and approved the Transfer Station CIP requests as presented.

Selectman Sabourn requested a breakdown of revenues from Kevin and Steve and asked they be submitted to the Board at the next meeting. TA Shepard will work with Steve to prepare that information.

#### **Beautification Committee – Appointments**

TA Shepard informed the board that the Beautification Committee did not have updated appointment forms. She asked the committee to submit a complete list of all members and their titles for the creation of appointment forms. That was done and before the board are updated appointment forms for the Beautification Committee. The Board reviewed and signed the appointment forms as presented.

**MOTION: "To appoint Gerald Gatement, as a member, Julie Piehn as Chairperson, Gloria Kimball as member, Carolyn Piantadosi as Vice-Chairperson, Judy Gutry as a member, Loretta Ickes as a member, Myra DeLeo as secretary, Marianne Peabody as Selectperson to the Beautification Committee until such time as they resign."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

#### *Health Officer Nomination*

TA Shepard presented a nomination form for Health Officer as received from the State of NH. This form is completed every three years for the nomination of the town's Health Officer. The Board reviewed said form.

**MOTION: "To appoint Marianne Peabody as Health Officer as requested by the State of NH."**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 3 – Yes, 0 – No**

**Abstained: M. Peabody**

#### **Review of 2018 Draft Audit Documents**

TA Shepard presented several documents from the 2018 Audit as performed by Plodzick and Sanderson and asked the board to review and approved each document.

**MOTION: "To approve the representation letter provided by Plodzick and Sanderson, PA."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve the MD&A as prepared by John Carpenter."**

Motion: R. Sabourn

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**MOTION: "To approve draft 2018 audit as submitted by Plodzick and Sanderson."**

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

## **TA REPORT**

The Town's attorney previously received a letter from Attorney Roberts asking several questions regarding Weeping Birches. After review, the Board had agreed that they not expend legal funds for town counsel to respond to Attorney Roberts and would instead have TA Shepard draft a letter to him.

TA Shepard informed the board that since the last meeting, she has learned that Attorney Roberts also sent a letter to Surveyor John March informing him that his clients would be hiring a different surveyor to address the concerns as outlined in the Town's letter regarding Weeping Birches Lane. Mr. March contacted TA Shepard and indicated to her that he was almost finished with the as-built plan and other concerns that were outlined in the Board of Selectmen's letter. Mr. March also informed TA Shepard that he would correspond with Attorney Roberts and let him know the status of his work on this project.

TA Shepard provided the letter she drafted to Attorney Roberts to the board for review. The letter is very simple and invites Attorney Roberts to come before the board for a discussion relative to Weeping Birches with the entire board. The Board reviewed and approved the letter.

### *Trustee of Trust Fund Requests*

**MOTION: "To approve a request to the Trustee of Trust Funds for funds from the Fire & Rescue Ambulance capital reserve fund in the amount of \$39,495.64 for Thornton's share of the new ambulance."**

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4– Yes, 0 – No**

**MOTION: "To approve a request to the Trustee of Trust Funds for funds from the Government Buildings capital reserve fund in the amount of \$5,516.50 for Bob Dumont as a deposit for the Transfer Station renovations."**

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

**Motion Passes: 4– Yes, 0 – No**

### *White Mountain National Forest Meeting*

TA Shepard confirmed with the Board that they and RA Kubik will meet with the White Mountain National Forest folks for a site visit to Mill Brook Road on September 24, 2019 at 2:00 pm. She asked where they would like to meet for the site visit. The Board agreed to meet where the dirt road begins.

### *Elections/Voting Place*

TA Shepard followed up with the Board on holding elections at the Thornton Elementary School. She had a discussion with Principal Bownes and Lynne Campbell and requested a letter stating the Town could use the school for their polling location for all future elections as previously discussed. Principal Bownes indicated to TA Shepard that he did not feel this would be a problem but wanted the approval to come from the School Board.



He said the School Board minutes from last year's discussion indicate that the agreement was for the town to use the school for a polling location for national elections but not the Town Election in March. Principal Bownes is concerned that the town may not be able to use the school for the March election in 2020 since the school calendar has already been set. He does not believe it will be a problem moving forward, before the next school calendar is set. Principal Bownes suggested that the town discuss the March election further with the school board during their upcoming joint meeting. The joint meeting is scheduled for September 23, 2019 at 5:30 p.m. at the elementary school. The board agreed that Selectwoman Peabody and Chairman Benton will attend this meeting with TA Shepard. The Board would like the Town Election to be held there in March as well if possible, because they are concerned with confusion since there is a primary in February which will be held at the school.

#### *Post Office Box*

TA Shepard filled the board in on a phone call AA Des Mahurin received from the Campton Postmaster indicating that they were planning to place another mailbox at the beginning of the town hall entrance for the new storage business beside the bus company further up Merrill Access Road. The Board unanimously agreed that they do not want another mailbox installed at the town hall driveway. TA Shepard stated that she informed the Postmaster that a formal request in writing would need to be sent to the Board of Selectmen. The Postmaster followed up and informed AA Mahurin that they may just move all of the mailboxes further up the road.

#### *Tax Deed Update*

TA Shepard gave the board a quick update on the tax deeded properties. One has paid in full. Two others have contacted and may be coming before the board on September 25<sup>th</sup> for repayment plans. She has not heard from two other property owners at all. TA Shepard is in the process of estimating the payments in terms of both 12 and 18-month agreements for the Board's review. Any eviction actions can begin after September 16<sup>th</sup>.

#### *Trustee of Trust Funds*

Relative to the interim appointment of Richard Baker as a Trustee of the Trust Funds, TA Shepard asked the board for permission to continue to pay outgoing TTF Warren Bahr through the end of 2019 as he is going to assist with training Mr. Baker. She asked for permission to pay Mr. Baker a prorated amount for the months of September, October, November and December. This will over expend that budget line item.

**MOTION: "To approve a stipend payment through the end of 2019 for Warren Bahr and to prorate the stipend for four months for Richard Baker."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4– Yes, 0 – No**

#### *Board of Selectmen iPads*

TA Shepard stated that she received a quote for iPads for the Board of Selectmen. They will cost \$320 per iPad and should be considered during budget season if the Board is interested. The Board will discuss this further another time.

### *Sleepy Hollow Demo Project*

TA Shepard informed the Board that the demo project has begun at the town owned property located at Sleepy Hollow as expected. Gloria Kimball's niece, Denise, called and expressed concern with an old culvert in the area that the town is working. The culvert is falling apart and she is concerned that it could be further damaged. RA Kubik confirmed that the culvert has been damaged for years and is making sure to avoid the culvert as much as possible.

### **7:00 Town Deeded Property Bid Opening**

Roy Sabourn opened the bid opening and read the notice of bid as advertised.

The Board of Selectmen accepted sealed bids on the following parcels of land and buildings acquired by the Town by Tax Deed:

1. Map 11 Lot 1-83, Covered Bridge Road, 1.4 ac Land Only
2. Map 11 Lot 84, Covered Bridge Road, 1.1 ac Land Only
3. Map 17 Lot 12-07, Goose Hollow Road, 15.64 ac Land Only
4. Map 17 Lot 17-07, Snowood Drive, 1.5 ac Land Only
5. Map 17 Lot 17-10, Checkerberry Ridge, 1.0 ac Land Only

#### **11-1-83 Covered Bridge Road**

The following bids were opened:

- \$2,001.00 from Jaron Downes
- \$ 5,700 from Jason Correia
- \$12,005 from Lisa Silvia and Paul McDermott
- \$6,900 from David Zietlow

**MOTION: "To award the bid for PID# 11-1-83 to Lisa Silvia and Paul McDermott in the amount of \$12,005."**

Motion: M. Peabody

Seconded: J. Gaite

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

#### **Map 11 Lot 84, Covered Bridge Road**

The following bids were opened:

- \$2,001.00 from Jaron Downes
- \$5,600 from David Zietlow
- \$8,005 from Lisa Silvia and Paul McDermott
- \$12,000 from Jason Correia

**MOTION: "To award the bid for PID# 11-1-84 to Jason Correia in the amount of \$12,000."**

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

17/12-07, Goose Hollow Road

The following bids were opened:

- \$12,000 from Lacy Gagnon
- \$3,555 from Jeffrey and Jennifer Stoner
- \$2,500 from John Maher
- \$2,000 from George Perry Jr.

**MOTION: "To award the bid for PID# 11-1-84 to Lacy Gagnon in the amount of \$12,000."**

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

No bids were received on lots Map 17-17-07, Snowood Drive and Map 17-17-10, Checkerberry Road.

**7:25 Non-Public pursuant to RSA 91-A:3, II (c-reputation)**

**MOTION: "To enter into non-public session pursuant to RSA 91-A:3, II, (c & e)"**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Jack Gaites – Yes, Marianne Peabody – Yes, Roy Sabourn – Yes,  
Brad Benton - Yes.

**Motion Passes: 4 – Yes, 0 – No**

**7:43 MOTION: "To come out of non-public session."**

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4 – Yes, 0 – No**

**7:45 p.m. MOTION: "To adjourn."**

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

**Motion Passes: 4-0**

Respectfully submitted,

Jessi Fleury  
Board Secretary