



TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: 7-1-20
BOS Initial: MP
Rec'd by Town Clerk on: _____
Town Clerk Initials: _____

Board of Selectmen Meeting Minutes June 17, 2020

10:03 AM Chairwoman Peabody opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

This meeting was held via teleconference call. The teleconference code was referenced on the posted agenda.

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

STAFF PRESENT: Debra Shepard, Town Administrator

Lee Freeman – Mail Delivery Discussion – Stone Dam Road, Woodstock

Present: Joel, Lee, and Sarah Freeman

The Freeman's met with the Board to discuss their current situation with the Post Office. The Freeman's live on Stone Dam Road, which is past Merrill Access, and further than the Post Office will deliver mail. The Freemans drafted a petition to the Post Office asking to extend their mail delivery service to the other Thornton/Woodstock residents in that area. The Freeman's requested that the Board of Selectmen send a letter in support of their petition to the Post Office. Mr. Freeman stated that the Town of Woodstock Board of Selectmen have agreed to sign the petition as well. The Board reviewed the petition.

Selectman Sabourn stated that he will not sign the petition. He agreed that the Freeman's have been taking the correct measures to persuade the Post Office to deliver mail to their area. R. Sabourn also stated that this has been an ongoing process for the Freeman's for many years. R. Sabourn agrees with the cause, but does not feel that this issue is one that should be addressed by the Selectboard.

Chairwoman Peabody stated she disagrees and feels that by signing the petition, the Board is advocating for all the residents on Stone Dam Road and Merrill Access Road. She also feels that this is a commercial/industrial zone and the Board should encourage the extension of mail service for the development.

MOTION: "To sign the letter to the Post office supporting the petition for extension of mail delivery to Merrill Access Road, Stone Dam Road, Nordic Road, and True Lane."

Motion: M. Peabody

Seconded: B. Benton

Discussion: J. Monti confirmed that there are 9 signatures on the petition and 7 of the signatures are from Thornton residents.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – No, Joseph Monti – yes, Jack Gaites - No.

Motion Passes: 3 – Yes, 2 – No

R. Sabourn asked the Freeman's if they received permission for the cooler to be attached to the mailbox at the end of the town hall driveway. Mr. Sabourn asked that the cooler be removed immediately, since no one gave the Freeman's permission to place it on town property. Mr. Sabourn also stated that the postal service was denied a request for a parcel box in this location a few years ago. He stated that attaching the cooler to the mailbox is a blatant attempt to circumvent a prior vote from this Board to not allow a parcel box in this location. Selectman Sabourn stated that the Freeman's broke the Board's trust by knowingly installing a parcel box after the Board had voted against the request.

MOTION: "To require that the cooler and other unapproved parcel boxes be removed within 30 days."

Motion: R. Sabourn

The Freeman's argued that they have never come to the town asking for a parcel box, nor did they receive a denial for a request. Mr. Freeman stated that Selectman Sabourn removed the cooler/box without permission or due process and without any authority from the Town.

Selectman Sabourn stated that there is a vote from the Board in the public record from 2-3 years ago that informed the Post Office that the Board does not want any parcel boxes at the mailboxes. Mrs. Freeman stated that the request was for a permanent structure, and that the post office gave them permission to attach a cooler to their mailbox.

The Freeman's asked that Selectman Sabourn recuse himself from any further decisions regarding the mailboxes because he destroyed their private property and feels that this is a conflict due to his involvement.

Selectman Sabourn stated that there was no destroying of private property, and that the cooler was moved to the back of the building since there was no permission granted for the cooler box to be attached to the mailbox.

The Freeman's stated that twine was cut that was holding the cooler to the mailbox and the twine was personal property. The Freeman's stated there has been a police report filed and requested that Selectman Sabourn not participate in any communications with them.

Chairwoman Peabody called for a second to the motion that was on the table.

RESTATED MOTION: "To require that the cooler and mail boxes currently being occupied by the Freeman's and the bus company be removed within 30 days."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: Chairwoman Peabody stated that she was aware of this incident and because of COVID-19, she knew there was a health issue that needed assistance. Chairwoman Peabody stated that there are a few more of these boxes on Route 3. Chairwoman Peabody feels that the boxes aren't hurting anyone or in the way of any maintenance. She feels that it is serving a medical purpose and does not have an issue with the box.

Mrs. Freeman stated that she thinks it to be very inappropriate for the person who destroyed her private property to be making a motion that could affect the property owner.

Selectman Monti stated that this topic was not scheduled as part of the Board's agenda this evening and that they were to discuss the petition and letter to the Post Office.

Mrs. Freeman stated that Selectman Sabourn had no authority to remove the cooler from their mailbox. Selectman Sabourn referenced a letter from the State Highway Department dated June 12, 2020 that provides authority for the Town to remove mailboxes from their property.

Selectman Monti questioned Chairwoman Peabody if she gave the directive to inquire about the town's authority to remove mailboxes from their property. Chairwoman Peabody said she did not.

TA Shepard reminded Chairwoman Peabody of a previous discussion regarding this issue. Chairwoman Peabody stated that she did question whether or not the town had a right of way at the mailboxes because she knew it was State owned property. TA Shepard stated that when speaking with Chairwoman Peabody regarding this issue, she informed Chairwoman Peabody that if she could find an opportunity to find out, she would research to see if the town had a right of way. TA Shepard stated that Chairwoman Peabody agreed and informed her that the process would probably take some time.

Selectman Monti stated that due to Selectmen Sabourn's involvement in the police investigation, he does not feel that this is a motion that the Board should hear at this time.

MOTION: "To not consider the previous motion on the table."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – No, Joseph Monti – yes, Jack Gaites - No.

Motion Passes: 3 – Yes, 2 – No

Ed Hubbard – Banjo Drive Drainage

Ed Hubbard met with the Board to discuss concerns that the Highway Department cut foliage in front of the property he recently purchased and installed a 50-foot ditch along this property without permission of the prior landowner.

Mr. Hubbard explained that two years ago there was a culvert across the road from his property. Since then, the culvert has been replaced and is now 6-8 inches deeper. Mr. Hubbard is concerned that the town dug a ditch across a piece of private property and cut trees without permission. He stated that the water collects in the ditch on the upper property and is absorbed into the ground which affects the water level on his property below. Mr. Hubbard informed the Board that this ditch will need to be filled in. Mr. Hubbard has spoken to the TA, Selectman Gaites, and RA Kubik regarding the drainage. He discussed options of having himself fill it in, hiring a contractor, or asking the RA to fix the ditch.

Chairwoman Peabody asked RA Kubik if there is anything the Town can do so that the drainage is not affecting private property. RA Kubik stated that this area was cleaned out as the highway department typically does before a paving project. At the time that the area was cleaned, the existing pipes had years of winter sand plugging up the culvert. RA Kubik explained that the highway department thought that they were maintaining the ditching and culvert that has always been there, and allowing the water to run where it has always run.

RA Kubik stated that the town did not consistently acquire drainage easements on roads when they were adopted as town roads in the past. He stated that this situation applies to many areas in town. In order to redirect the drainage, he would need to direct the flow of water down the side of the road. RA Kubik stated that without a drainage easement, the only thing the town can do is to ditch alongside the road and allow the water to flow along the side of the road.

RA Kubik stated that last fall, Bruce created a berm to stop the flow of water onto Mr. Hubbard's property and to his knowledge, there has not been any additional water running onto Mr. Hubbard's property. The water cannot move past the berm now which causes it to pool at the end of the culvert. He feels that the town's work has not created an additional water problem for Mr. Hubbard.

Selectman Monti reviewed the two photos that were provided of the ditch. He explained that based on the photos, the water run off appears to be a natural flow of water and he does not see a 50-foot ditch.

RA Kubik stated that a round ditch could be installed next to Mr. Hubbard's culvert. RA Kubik felt that the town had fixed the water run-off from the culvert, and believes that the water that Mr. Hubbard is speaking of is a continuous problem is not a result from the town ditching.

Selectman Sabourn agreed that the town could fill in the ditch as requested by Mr. Hubbard, and improve the ditching alongside the road. Selectman Sabourn questioned if Mr. Hubbard's driveway culvert would be able to handle an increase in water coming from the road. RA Kubik stated that the culvert is the same size as the other culvert that goes across the road. He indicated that Mr. Hubbard will need to increase his maintenance of the culvert to be sure it does not become clogged.

Mr. Hubbard stated that he did not have a water problem before the town dug the ditch.

Discussion followed. RA Kubik was asked how long it would take his crew to fill in this ditch and he responded a few hours. Selectman Monti informed Mr. Hubbard that if the town does the work that he requested, and he still has a water problem, the town will not be responsible. Mr. Hubbard agreed.

Selectman Sabourn asked if filling in the ditch will cause a water problem on someone else's property. RA Kubik does not believe that there is enough water flow to cause a problem for any of the property owners. He stated that the ditch will be dug alongside the road and will flow through Mr. Hubbard's driveway culvert and ultimately will be discharged onto a lower portion of Mr. Hubbard's property. Mr. Hubbard confirmed he had no issue with that happening as it would not affect his home. RA Kubik stated that he can schedule this service within the next couple weeks.

MOTION: "To have the highway department fill in the ditch in front of Mr. Hubbard's property within 30 days, direct the water down an improved road ditch line through Mr. Hubbard's driveway culvert, to be discharged onto his property in a different location."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites - yes.

Motion Passes: 5 – Yes, 0 – No

Manifests

MOTION: "To approve the welfare manifest dated 6/20/20 in the amount of \$ 850.00."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – abstained, Brad Benton – yes, Roy Sabourn – yes,
Joseph Monti – yes, Jack Gaites - yes.

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

MOTION: "To approve the payroll manifest relative to COVID for first responders dated 6/19/20 in the amount of \$11,999.55."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph
Monti – yes, Jack Gaites - yes.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the vendor manifest dated 6/19/20 in the amount of \$323,295.59."

Motion: J. Gaites

Seconded: J. Monti

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph
Monti – yes, Jack Gaites -yes.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve the payroll manifest 6/19/20 in the amount of \$40,196.50."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph
Monti – yes, Jack Gaites - yes.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve Board of Selectmen public meeting minutes of June 3, 2020 as amended."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – abstained, Roy Sabourn – yes,
Joseph Monti – abstained, Jack Gaites – yes.

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

Consent Agenda Review

1. Capital Reserve Fund Request – Police Cruiser & Cruiser Equipment

Total \$6,186.04

2. Warrant for Unlicensed Dogs

3. ZCA Extension: 2018-42, Matthew McDermott and Crystal Thomas, 125 Adams Farm Road, Thornton, NH, Map/Lot: 15-1-43

Description of project: 20 x 16 Shed.

4. ZCA: 2020-20, John and Julie Fogarty, 110 Joshua's Lane, Thornton, NH

Map/Lot: 7-2-13-32. Description of project: Rooftop Solar Array.

5. ZCA: 2020-24, Carie and Ryan Kelly, 9 Judges Road, Thornton, NH384, Campton NH 03223. Map/Lot:13-6-22. Description of project: 16x6 Lean To on back of garage for woodshed.

6. ZCA: 2020-28, Mark and Gaelle Slamin, 143 Burrill Street, Apt. 301, Swampscott, MA 01907.

Map/Lot: 11-1-101. Desc. of project: 16 x 32 Screened in Gazebo and Patio

7. ZCA: 2020-25, James and Lee McKenna, 5 Lloyd Street, Hopedale, MA 01747.

Map/Lot 17-14-5. Description of project: 18 x 12 Covered Porch.

8. ZCA: 2020-21, Donna Garfield (Shamberger), 211 Thornton Gore Road, Thornton NH. Map/Lot: 3-2-5. Description of project: 26 x 24 Garage.

9. ZCA: 2020-26, Jagmeet Singh and Yereem Park, 60 Pleasant Street, Apt #418, Arlington, MA 02476. Map/Lot: 17-1-4. Description of project: Accessory Dwelling Unit (ADU).

MOTION: "To approve the Consent Agenda for June 17, 2020 as presented."

Motion: J. Monti

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

Owl's Nest - ZCA 2020-29

Selectman Sabourn discussed a ZCA received from Owl's Nest for a lake house building, which he believes will be used for commercial wedding venues. The application was received this morning, and he has not had adequate time to review the application. Brian Regan has been working with the applicant. Selectman Sabourn recommended approving the ZCA pending the review of Brian Regan to make sure the application is complete and complaint with zoning.

MOTION: "To approve ZCA 2020-29 for Owl's Nest for the construction of a lake house building, pending the review and approval of Brian Regan."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

COVID-19 – Town Hall Re-Opening Plan

TA Shepard presented a re-opening plan for town hall that includes re-opening for regular business on Monday, July 6 with normal hours while still recognizing social distancing, use of masks, and hand sanitizer.

The sneeze guards are installed, the drop-box will be installed soon, stanchions will be purchased, and the touchless hand-sanitizer floor unit is on order and expected soon.

Selectman Monti stated that he feels there is a lot of confusion amongst the public regarding social distancing. He questioned if the staff behind the glass will need to wear masks and if they will need to continue with their sanitation efforts as they have in the past months.

TA Shepard stated that it is the employee's choice if they want to wear a mask while in the office, behind the sneeze guard. When staff is in the hallway with the public, they wear a mask. Staff will continue to follow CDC guidelines and disinfect their areas. The floors will continue to be marked to maintain a 6-foot distance. The town will strongly encourage the public to wear a mask when at the town building.

Selectman Monti stated that he felt the restrooms should be re-opened if the public building is open. Discussion followed on other options for restrooms like keeping one public and making one for staff. The Board agreed to reopen the restrooms to the public when the town hall reopens.

MOTION: "To accept the Thornton Plan to re-opening town hall to the public as presented with the modifications recently discussed."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

COVID-19 – Police Department Re-Opening Plan

Chief Miller presented a re-opening plan for the Police Department. The Board agreed to re-opening the restroom at the Police Department for public use as well.

MOTION: "To accept the Thornton Plan to re-opening the Police Department to the public as presented with the restroom modification."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

COVID-19 – Transfer Station Plan

The Transfer Station will resume business officially on July 6, even though the fee schedule items and recyclables are currently being accepted at this time. Construction debris will be accepted this week as well. The transfer station staff will determine the needs for additional cans for household garbage. Selectman Monti suggested discussing business use v. personal use for the transfer station. Selectman Sabourn stated that this is an item for discussion for the transfer station advisory committee.

MOTION: “To accept the Thornton Plan for re-opening the transfer station to the public as presented with the modifications recently discussed.”

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

Chief Miller asked Selectman Sabourn and Benton to sign the Highway Safety Grant received last year as it has been amended and requires new signatures. The grant was modified to remove wording related to seatbelt usage since NH does not have state law for seatbelt use. The Board agreed.

Chief Miller stated that the total amount for the new cruiser, to be expended from the CIP, was \$66,246. After the receipt of grant funds, the cost to the town will be \$62,164.

Chief Miller asked the Board to allow him to trade-in the sedan for \$500 rather than follow the bid process for town owned property.

MOTION: “To wave the procurement bid policy for the police cruiser, since the cruiser has very little value and can be used as a trade-in for \$500 towards the new cruiser purchase.”

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

COVID Grant Purchases

Zoom Estimate – \$1,551.93 includes a 55” TV, webcam, a microphone, extensions and hook-ups, with a laptop, and installation. The Zoom monthly fee is approximately \$100 per month. This purchase will be submitted for grant reimbursement.

MOTION: “To purchase the Zoom audio/visual equipment needed.”

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti –yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

Selectman Monti suggested that TA Shepard find out if the town can purchase a message sign with COVID grant funds.

CIP

The Town of Campton has released information regarding their CIP. Bill DeLeo is discussing some concerns with Campton's CIP. Bill will be sending emails to department heads to begin the CIP process.

MOTION: "To enter into non-public session under RSA 91-A: 3, II (a)(I)."

Motion: J. Gaites
Seconded: R. Sabourn
Discussion: None.
Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To exit non-public session."

Motion: M. Peabody
Seconded: B. Benton
Discussion: None.
Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To appoint Selectman Brad Benton as Thornton's representative on the Transfer Station manager interview committee."

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.
Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

MOTION: "Pursuant to information provided by Chief Miller, approve a pay raise for two police officers at grade 8 step 5 to grade 8 step 11 effective 8/1/2020."

Motion: R. Sabourn
Seconded: J. Gaites
Discussion: None.
Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

Selectmen Comments

Selectman Monti informed the board that the Cable Advisory Committee is being formed and he is going to schedule a meeting sometime next week.

Selectman Sabourn asked how the Board will proceed with holding public meetings such as Planning Board, etc. The Board discussed options for holding public meetings while meeting social distance requirements, including renting a tent, using the school building, etc. and asked TA Shepard to come up with some other considerations for a future meeting.

1:34 p.m. MOTION: "To adjourn."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary