

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES  
Meeting Date: October 17, 2012 5:00 p.m.

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APPROVED

The Board of Selectmen met and held a public meeting on  
Wednesday, October 17, 2012 5:00 p.m. at the Thornton Town Hall.

**5:00 p.m. Chairman Burbank opened the meeting with the flag salute and began the work session.**

**Board Members present:** Butch Burbank, Roy Sabourn, Brad Benton, Steve Morton and Marianne Peabody.

**Staff present:** Tammie Beaulieu, Town Administrator and Jessi Fleury, Board Secretary

*Payroll Manifest*

**\*\*Motion\*\***

**5:41 p.m. Selectman Morton motioned to accept the payroll manifest dated 10-19-12 in the amount of \$25,514.61. Seconded by Selectwoman Peabody. Motion passed 5-0.**

*Vendor Manifest*

**\*\*Motion\*\***

**5:42 p.m. Selectman Benton motioned to approve the vendor manifest dated 10-19-12 in the amount of \$343,098.86. Seconded by Selectman Morton. Motion passed 3-0-2 Selectwoman Peabody and Selectman Sabourn abstained.**

*Action Folder*

*Resignation from Rebecca Rodgers from the Trustees of Trust Funds*

**\*\*Motion\*\***

**5:45 p.m. Selectman Sabourn motioned to regretfully accept the resignation of Rebecca Rodgers from the Trustee of Trust Funds. Seconded by Selectman Morton. Motion passed 4-0-1. Selectwoman Peabody abstained.**

*Todd Baldwin letter regarding the Provost Property*

Chairman Burbank stated that he received a letter from Todd Baldwin including photos regarding a neighbor dispute on the display of offensive signs and flags hung over the Chickenboro Road. Selectman Sabourn informed the board of the information that he has found regarding the width of the road indicating a possible 3 rod layout. The board discussed a public nuisance situation with Chief Moller. The board discussed the potential hazard of flags hanging over the road. The board agreed to send a certified letter to Mr. Provost stating that the flags across the road need to be removed due to safety hazards and that the town will remove them if necessary.

**Agenda Items:** (no public input)

*6:00 Police Chief Moller – Call out and Compensation policy*

Chief Moller met with the selectmen to discuss compensation for officers when they are on call throughout the night, currently there is no additional compensation in place.

Chief reported other town's policy on call out compensation. The board discussed possible incentives for officers on call including a flat fee of \$25 per night. Chief Moller agreed to provide a draft policy for the selectmen to review before implementing. The board would also like to inquire as to what the fire department policy is for call out compensation.

**\*\*Motion\*\***

**6:15 p.m. Selectman Morton motioned to enter non-public session pursuant to RSA 91-A: 3, II (a & c). Seconded by Selectman Sabourn. Motion passed 5-0.**

**\*\*Motion\*\***

**6:37 p.m. Selectman Morton motioned to exit non-public session. Seconded by Selectman Benton. Motion passed 5-0.**

**\*\*Motion\*\***

**6:38 p.m. Selectman Morton motioned to allow Chief Moller to make a conditional offer for part-time officer candidates #2 and #3. Seconded by Selectman Sabourn. Motion passed 5-0.**

*6:30 Stuart Anderson/Philip Bennett – Alba Architectural Engineering for the TH/PD Addition*

Mr. Anderson and Mr. Bennett from Alba Architectural Engineering met with the Selectmen to introduce themselves as they have been hired by the selectmen for the Town Hall/Police Department addition. The board discussed the recommendations of the committee and the architects, as well as septic system needs with the increase in building capacity. Ms. Beaulieu suggested meeting with Chief, the architects and some committee members to walk through the building so that they know the needs of the departments. Mr. Anderson stated that they plan to provide a contract based on the conversation this evening, they will include a site survey, leave the septic and drainage issues as potential issues and will address if necessary. Mr. Anderson agreed that they would plan to begin construction in the spring and would have information available regarding bid results in time for town meeting.

*7:00 CIP Committee – 2013 CIP discussion*

*Present: Jim Demeritt, Sally Davis, Cindy Schofield, Lou Klotz.*

Ms. Schofield provided an updated plan with the information forwarded from the office. The board discussed the condition of the covered bridge and funding issues. Selectman Sabourn explained that FEMA has obligated funds for repairs of the bridge to pre-Irene conditions however there is more damage since Irene and the condition of the bridge has been downgraded. FEMA is now stating that they do not believe the bridge qualifies for emergency funding because the Town has not fixed it yet. HEB Engineering is working on a resolution on behalf of the Town. The town is performing a hydrological study and may qualify for funding towards a replacement. The board agreed that there will not be any funds removed from the bridge capital reserve fund.

The board discussed the needs of other areas of the town, the priority of each, and how funding should be raised. The board agreed that their priorities are the covered bridge, and the police department deficiencies. Ms. Beaulieu suggested waiting a few weeks to discuss capital reserve amounts until the tax rate figures are available from DRA. She

intends to meet as soon as they start processing tax rate setting. The board agreed to wait until after the tax rate is set.

*7:15 Marilyn Lieto – House of Rep. Dist. 6*

Ms. Lieto met with the selectmen to introduce herself to the board and her intentions should she become elected as state representative.

*7:30 RA John Kubik Jr., - Dept. of Safety Practices*

Chairman Burbank commended Mr. Kubik's work on the roads so far. The purpose for the meeting tonight is to inform Mr. Kubik that the board is very pleased with the quality of work he is performing as the road agent, to reiterate safety concerns of the highway department with respect for flaggers, hard hat usage, uniforms according to policy, and work week schedules. The board agreed that if the road agent needs to have the employees work a four day work week due to a specific work project then he should communicate this need with the town administrator before temporarily changing the schedule.

The board also agreed that they are not in favor of a permanent four day work week for the highway department and expect that the work week will consist of five, eight hour days; however the eight hours may be established at the Road Agent's discretion. The board also agreed that if a project runs late one day, the road agent may allow for early dismissal or late arrival on another day in order to avoid an overtime situation.

*8:00 Election/appointment responsibility*

Mr. Klotz, Town Clerk, met with the selectmen to discuss the election/appointment responsibilities. Mr. Klotz presented a list of the current oaths on file for various boards and explained that he has no problem swearing in people who are elected or appointed but would like contact information for those appointed. He further stated that the information from 2009-2010 is not complete. Ms. Beaulieu clarified that the missing oaths he is referring to are all elected positions that are referenced as the town clerk responsibility under RSA 42:4. She explained that she assisted Mr. Klotz to answer some of the questions on his list. Town Administrator Beaulieu spoke to the planning board assistant to make sure appointments are created for alternates and members that fill a vacant position as the jurisdiction is the planning boards not the selectmen's. Ms. Beaulieu explained that the State law is very specific in the town clerk's responsibility to obtain and keep records. Mr. Klotz feels that if there is an appointment created he will swear in according to what is on the appointment form but he refuses to look up phone numbers or contact information in order to notify people of their appointments and the need to be sworn in. Ms. Beaulieu clarified that contact information is provided for appointed individuals but if people are elected, their contact information will be on the ballot slip that his office processes and he should have all the information needed. Mr. Klotz agreed that he is all set on this issue.

**\*\*Motion\*\***

**8:22 p.m. Selectman Morton motioned to enter non-public session under RSA 91-A: 3, II (a-personnel, c-reputation). Seconded by Selectwoman Peabody. Roll call, Selectman Burbank – yes, Selectman Sabourn – yes, Selectman Morton – yes, Selectman Benton – yes, Selectwoman Peabody – 5-0.**

**\*\*Motion\*\***

**8:48 p.m. Selectman Morton motioned to exit non-public session. Seconded by Selectman Sabourn. Motion passed 5-0.**

**Action Folder (no public input)**

*Covered Bridge Road Bridge - HEB Contract*

Town Administrator Beaulieu explained that due to FEMA's new suggestion that the covered bridge may not qualify for the FEMA funds, HEB has submitted an addendum for vendor funding to allow them to continue meeting with FEMA in order to determine funding availability. The board agreed that the addendum is necessary due to the condition of the bridge.

**\*\*Motion\*\***

**8:50 p.m. Selectman Sabourn motioned to approve and sign the HEB contract amendment with #1 for additional funding determination of \$3,000 to be used as needed on an hourly basis in regards to the Covered Bridge Road Bridge Project #163/107 over Mill Brook. Selectman Morton seconded. Motion passed 5-0.**

*Letter of Agreement* – The board reviewed the letter of agreement from HEB Engineering dated October 11 for the scope of work for hydrology and feasibility study in regards to the Covered Bride Road Bridge. The services are \$10, 825 rather than the estimated \$8–\$10,000 that was mentioned at the last meeting. The board agreed and approved the \$10,825 for the feasibility and hydrological study for HEB, with hopes that the funds will be offset by SBA. The actual agreement for signature will be forwarded after SBA reviews.

*Mountain Woodlands*

Selectman Sabourn informed the board of the opinion of town counsel regarding the rock wall that was built on Mountain Woodlands Road that directly abuts the pavement. The board agreed to send a letter to the homeowner asking him to remove the rock wall. Town counsel opinion is that if there is an accident or injury resulting from the rock wall, the town would not be liable since the wall was not constructed or approved by the town. The board agreed to send a certified return receipt letter along with a copy of the plan to the homeowner requesting that the wall be moved so that the town can safely maintain roads during the winter.

*Towing Agreement*

Chief Moller drafted a towing agreement to be used by the town for their towing needs to establish approved fee ranges when the town orders vehicles to be towed.

**\*\*Motion\*\***

**9:00p.m. Selectwoman Peabody motioned to accept the towing agreement for the town towing needs to establish governing rules when the town orders a tow. Seconded by Selectman Morton. Motion passed 5-0.**

*Avitar Assessing Agreement*

The board reviewed the 2013 Assessing Agreement with Avitar. Ms. Beaulieu informed the board that she spoke with Lauren at Avitar and she has offered to do the data entry for the town at no additional cost, which is a huge savings for the town. The board discussed the ability to shift duties around the office to allow for more production.

**\*\*Motion\*\***

9:05 p.m. Selectman Sabourn motioned to approve the 2013 one year assessing contract in the amount of \$27,979. Seconded by Selectman Morton. Motion passed, 5-0.

*Summary of Activity – Zoning Compliance Application (ZCA) forms*

**\*\*Motion\*\***

9:15 p.m. Selectman Morton motioned to approve ZCA #2012-28, for Map 3 lot 2-5 at 211 Thornton Gore Road for the demolition of a cabin. Seconded by Selectwoman Peabody. Motion passed 5-0.

**\*\*Motion\*\***

9:17 p.m. Selectman Benton motioned to approve ZCA #2012-29 for map 6 lot 11-18 at 62 Waterthorn Road, Thornton NH. Seconded by Selectwoman Peabody. Motion passed 5-0.

**\*\*Motion\*\***

9:18 p.m. Selectman Morton motioned to approve ZCA for #2012-30 for map 17 lot 9-1 at Chickenboro Road. Seconded by Selectwoman Peabody. Motion passed 5-0.

*Compliance Issues*

The board signed compliance letters addressed to:

1. Wendy Anne Zimbone – map 17 lot 2-9 re: updates to property
2. Brian Crowley – map 10 lot 15-1 re: railings on deck
3. Barbara McDonald Trust – map 11 lot 4-10 trailer/camper placement

The board discussed requiring a ZCA for repairs/replacements to existing structures, such as requiring a ZCA for replacing a roof that is in distress. Ms. Beaulieu explained that if a structure is of poor quality the assessor gives a decrease in assessed value and once repairs or replacements are made, the ZCA form prompts the assessor to review the property to apply an updated assessed value. After discussion, the board agreed that they will not require a ZCA for repairs or replacements of existing structures however, if there is any change, addition or improvement beyond what was existing before the repair or replacement then a ZCA would be required.

*Minutes*

**\*\*Motion\*\***

9:25 p.m. Selectman Benton motioned to accept the public minutes of 10-3-12 as amended. Seconded by Selectman Morton. Motion passed 5-0.

**\*\*Motion\*\***

9:27 p.m. Selectman Benton motioned to accept the non-public minutes of 10-3-12 as submitted. Selectwoman Peabody seconded 5-0.

### *Application for Current Use*

The board reviewed an application from Wade Reed for land north of Millbrook Road for Current Use. After discussion the board agreed to hold off on the application until the next meeting.

### *Matson - Current Use Application*

The board reviewed the application for current use received from Lewis and Christine Matson for map 17 lot 12-8. The board discussed ownership of the property and agreed that the Town Administrator will verify with counsel that all necessary documentation has been received before signing the application.

### **Town Administrator's Report**

Patty Beak has contacted her with the town's GMR rates; dental rate increase is 1.2% for all plans, the MBT5 increase is 3.7%, 3.3% increase for retirees, and luminous HSA 2500 is a 4.2% increase and they are not sure of the increase with the 5000 yet. She has asked them to provide other health care options to compare rates. Chairman Burbank stated that these rates are low compared to a 37% increase of some other plans. The board agreed that having healthy employees help with the low rates for increases.

### *Health Reform Act*

Ms. Beaulieu informed the board that the Cadillac Health Insurance Tax is postponed until 2018. However, for 2012 she still has to document the value of the insurance plan on the employee's W2's.

Ms. Beaulieu also updated the board as to 2012 increases in health insurance cost and decreases in Property Liability insurance.

Ms. Beaulieu provided an updated meeting calendar for the budget meetings schedule. The board revised the selectmen meeting calendar to include 12-19-12 at 5 p.m. and change 12/26/2012 to 10:00 a.m. and they will come in briefly on the 26<sup>th</sup> at 10:00 a.m. to sign and motion the manifest.

### *2011 Audit Reports -Plodzik*

Ms. Beaulieu provided copies of the audit for the board.

### *Camera Grants*

Chief Moller forwarded a grant for the cameras and has inquired as to the grant process. Chief would like to know if she can process in the same manner as the fire department, where if it doesn't obligate the town, can she send the grant paperwork out on her own, unless there is a requirement for a public hearing to except the funds. The board agreed that grant processing should be consistent for all departments and if signature is required it must be a selectman as they are the jurisdictional board.

### *Casella Contract – Transfer Station*

Ms. Beaulieu informed the board that Kevin McGuire has received the new Casella contract. The board discussed some concerns with the contract going to a 10 year contract rather than 5 years Ms. Beaulieu explained that Mike at Casella does not have the transport figures in the contract yet but the tonnage rates have reduced. Mr. McGuire recommends the board sign and approve the contract as all surrounding towns are moving to a 10 year contract. Mr. McGuire provided feedback via letter regarding

why streamlining would not be cost efficient for Thornton. The board agreed that streamlining may not be in the best interest of the town. The board discussed the 10 year duration of the contract. The board agreed that they would not sign the contract until the transport fees are indicated on the contract.

#### *Job Descriptions*

The previous changes to the job descriptions for the Compliance Officer and Administrative Position were made and final drafts are available for the board to review. Ms. Beaulieu informed the board that the temporary positions are in place until December 31, 2012 and that if the board intends to fill these two positions on a permanent basis they should consider approving the job descriptions and advertising sooner rather than later since budget season is beginning and the workload will be intense. The board discussed the timing of the situation and asked the Town Administrator to speak with the temporary employees about extending their positions with the town for an additional six months so that they are not making hasty decisions during a busy time of year. Ms. Beaulieu agreed to discuss this option with the temporary employees.

#### **Selectmen Business**

*Selectman Morton* informed the board that he received an inquiry from Julie Piehn regarding new buildings at the Pemi River Campground. He explained that Mr. Warren had approached the Planning Board a few months ago regarding the placement of camping structures at the Pemi River Campground and then decided that he would not be doing this until later. The selectmen agreed that Selectman Morton and Nancy Decoteau should visit the property to confirm new buildings have been delivered.

*Chairman Burbank* informed the board members that he has accepted a new job as the Town Manager in Lincoln, and he may not be in a position to run for selectman again when his term expires in 2013.

#### **Public Forum (5 minute session per person)**

Jim Demeritt mentioned that he has some suggestions regarding the excavator purchase requested by the Highway Department. The board agreed to discuss his thoughts during the budget sessions.

#### **\*\*Motion\*\***

**10:05 p.m. Vice-Chairman Sabourn motioned to enter non-public under RSA 91-A, II (c, reputation). Seconded by Selectman Morton. Roll call, Chairman Burbank – yes, Vice-chairman Sabourn – yes, Selectman Benton – yes, Selectman Morton-yes, Selectwoman Peabody – abstained. Motion passed 4-0-1.**

#### **\*\*Motion\*\***

**10:10 p.m. Selectman Morton motioned to come out of non-public. Seconded by Selectman Benton. Motion passed 5-0.**

**\*\*Motion\*\***

10:11 p.m. Selectman Morton motioned to sign the non-public welfare manifest in the amount of \$1,625. Selectman Benton abstained. Motion passed 4-0-1. Selectwoman Peabody abstained.

**\*\*Motion\*\***

10:13 p.m. Selectman Sabourn motioned to adjourn. Seconded by Selectwoman Peabody. Motion passed 5-0.

Respectfully submitted,

Jessi Fleury  
Board Secretary  
Draft posted 10/24/12

# Board of Selectmen

October 17, 2012

5:00 p.m.

Sign In Sheet

**PLEASE PRINT YOUR NAME AND A  
ADDRESS.**

Thank you!

1. James Demeritt 76 Fadden Rd
2. Chief Moller PD
3. Stuart J. Anderson AUSA ARCHITECTS
4. Philip M Bennett AUSA ARCHITECTS
5. Louis Klutz CIP
6. Scott Davis 50 Sugar Run CIP
7. Cindy Schifield 21 Campton St CIP
8. Maureen Lieto Greater
9. Louis Lieto Greater
10. Kelly Wieser Owl Street Associates, L.L.C.
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_

**TOWN OF THORNTON**  
**Selectmen's Agenda**  
**October 17, 2012**  
**5:00 PM**

Flag salute

Work session – (no public input)

Manifest  
Signature Folder  
Action Folder reviewed by Board for discussion later  
Mail Folder

Motion and sign the payroll and vendor manifest

**Public Forum (5 minute session per person)**

Town Administrator presents (no public input)

**Agenda Items:** (no public input)

6:00PM	Police Chief Moller – call out and compensation policy
6:15	Non-public session pursuant to RSA 91-A: 3, II (a & c)-PD
6:30	Stuart Anderson/Philip Bennett – Alba Architectural Engineering for the TH/PD Addition
7:00	CIP Committee – 2013 CIP discussion
7:15	Marilyn Lieto – House of Rep. Dist. 6
7:30	RA John Kubik Jr., - Dept. of safety practices
8:00	Election/appointment responsibility
8:15	Non-public session pursuant to RSA 91-A: 3, II (c-reputation)
8:30	Non-public session pursuant to RSA 91-A: 3, II (a-personnel)

Action Folder (no public input)

Board of Selectmen Item Discussions (no public input)

**Public Forum (5 minute session per person)**

Other business or non-public issues as needed pursuant to RSA 91-A: 3, II

Residents may contact the Town Administrator to get placed on a future agenda.

\*The board may review decisions made during the meeting in public input, at the closing of the meeting, provided information that could result in an adjustment to a decision that was made during the meeting.