

D.M.

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES  
Meeting Date: November 14, 2012 10:00 a.m.

APPROVED

The Board of Selectmen met and held a public meeting on Wednesday, November 14, 2012 10:00 a.m. at the Thornton Town Hall.

**10:00 a.m. Vice Chairman Sabourn opened the meeting with the flag salute and began the work session.**

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

**Absent:** Chairman Butch Burbank

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

*Payroll Manifest*

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

**11:20 a.m. Selectman Morton motioned to accept the payroll manifest dated 11-16-12 in the amount of \$24,958.70. Seconded by Selectwoman Peabody. Motion passed 4-0.**

*Vendor Manifest*

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

**11:21 a.m. Selectman Benton motioned to approve the vendor manifest dated 11-16-12 in the amount of \$150,251.17. Seconded by Selectwoman Peabody. Motion passed 4-0.**

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

**11:00 CIP Reserve funding for 2013 budget**

The board agreed not to increase the funding level for CIP reserves this year. All agreed that they need to increase it when they can, but due to the addition to the building and the necessary bridge repairs and in light of the tax rate increase they will leave the amount the same as last year. Selectman Sabourn stated that the tax rate increase would have been substantially higher had the town not bought down the rate.

**Town Administrator's Report**

*Supervisor Meeting*

Ms. Beaulieu informed the board that during the last supervisor's meeting the department heads discussed the budget process. She stated that the new administrators are doing a great job. The department heads would like to know if they should submit their requests for expenditures for 2013 so that the Selectmen can review them towards the end of the 2012 year. The board agreed that the supervisors should submit their requests in case there are funds available at the end of this year to make these purchases rather than budgeting for them again in the 2013 budget.

*Holiday Celebration*

Town Administrator Beaulieu informed the board that the holiday celebration is scheduled to take place at Tony's Italian Grille on December 5, from 5 p.m. to 7 p.m. and invitations will be sent out by next week.

*Leadership Program Request – Police Department*

Ms. Beaulieu stated that Chief Moller asked her if the board would consider letting her do the cadet team leadership program. This would include one full week in the summer. After consideration, the board does not feel that they can approve this at this time, due to the uncertainty of staffing in the police department. If the staffing situation should change then they would be open to discussing again.

Chief Moller had also informed Ms. Beaulieu that Sean Smarz has been offered a position on the board of the Pemi-Baker Literacy and she has approved that offer. This will require his attendance every 2<sup>nd</sup> Thursday of the month in the late afternoon in Plymouth, NH.

The board re-motined to approve the capital reserve expenditure for the new police cruiser since the previous meeting motion did not include the trade-in value.

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

**11:30 a.m. Selectman Benton motioned to approve the revised Capital Reserve request \$22,173 from the capital reserve account cruiser and equipment, for the cruiser only. Seconded by Selectman Morton. Motion passed 4-0.**

*Alba Architects – Town Hall Renovations*

Town Administrator Beaulieu informed the board that she and the building committee will be meeting with Alba Architects at 2:00 p.m. to review the architectural needs for the town hall building.

*Previous letter from Mr. Guilliani and Todd Baldwin – Follow up*

Ms. Beaulieu informed the board that when the highway department went to take the flags down that were put across Chickenboro Road by Mr. Provost, they found that the flags had already been removed. The board agreed that the Road Agent should submit an email confirming his findings when he visited the site to remove the flags, and that his department did not remove the flags since they were already removed before he arrived. The board agreed that a brief response should be given to Mr. Guilliani and Mr. Baldwin informing them that a letter was sent to Mr. Provost requesting that he remove the flags. If Mr. Provost chooses to put the flags up again on his own property, the selectmen will have no jurisdiction over that situation.

*Ballot Clerks*

Ms. Beaulieu explained that the board appointed Mr. Demeritt as a ballot clerk for elections, which was signed and approved during the previous board meeting. Ms. Beaulieu explained that even though it was agreed upon at the previous meeting, she recommended the board motion the appointment.

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

**11:37 a.m. Selectman Morton motioned to appoint Jim Demeritt as a ballot clerk, for a two year term. Seconded by Marianne Peabody. Motion passed 4-0.**

**12:00 Mr. & Mrs. Tole- road/rock wall discussion**

Mr. and Mrs. Tole met with the selectmen to discuss the letter they received regarding the stone wall in front of his house stating that it needed to be moved to safely maintain the road during the winter. He explained that he does not feel that anything has changed as far as the ability to maintain the road and explained the tree line that was once in the same area as the stone wall is now, and the prior practice of snow removal by the town. Mr. Tole reviewed the history of the road over the past years. Morton explained that the stone wall is within inches of the road and will pose a problem for plowing as well as a liability for the town. Selectman Sabourn stated that the state law states that nothing shall be placed in the town right of way of roads. Morton asked if the labor and cost of removal was the problem and if it would make it easier for them if they had volunteers to assist. Is the opposition to the movement of the wall in principle to past events or is it a problem physically moving the wall? Mr. Tole stated that he cannot physically move the wall within the time frame indicated on the letter. If the town can grant the waiver to leave the wall where it is, he would like that but understands the liability. He would welcome any help to get the wall moved before the snow falls.

Selectman Morton stated he has been looking at this problem and he has compassion as to the situation that the Tole's are in. He stated that aside from the town responsibility, he would help them personally and maybe find volunteers to help them move the wall. Discussion continued as to options to move the wall. Selectman Sabourn temporarily recessed the discussion.

**12:15 PD- State of NH equipment grant \$2,500**

The board reviewed a letter from the NH - Highway Safety Grant Application. The joint approval form needs to be signed by the selectboard chairman before any funds can be received. The board agreed to have Vice-Chairman Sabourn sign the approval form in the absence of the Chairman. The town administrator explained that the match for this grant is in the town budget under the town grant line and explained the accounting process for grant funds.

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

**12:23 p.m. Selectwoman Peabody motioned to approve the highway safety grant application and accept the grant funds in the amount of \$2,500 for the police department equipment grant and for Vice-chairman Sabourn to sign the application. Seconded by Selectman Morton. Roll call – Selectwoman Peabody – yes, Selectman Benton – yes, Selectman Morton – yes, Vice Chairman Sabourn – yes. Motion passed 4-0.**

**Mr. & Mrs. Tole- road/rock wall discussion - continued**

The board continued to discuss the situation on Mount Woodlands Road with Mr. Tole as started earlier in the meeting. Mr. Morton stated that he can discuss his volunteer options to help move the rock wall outside of the Board of Selectmen meeting since it is an offer from him exclusively. Mr. Tole asked the board for permission to have the road agent visit the property after the wall is moved to stake out the right of way so that when he re-builds the wall he is not in the right-of-way. Selectman Sabourn stated that he could stake the right of way according to the survey plans that he did on behalf of the Town. The board agreed to send a letter to the Tole's confirming the agreement that the rock wall would be moved from the right of way area as quickly as possible. The board also agreed that if the ground is not frozen the town will try to grade and make sure the

water does not go onto their property. The board thanked them for coming to meet with them.

### **Signature File**

The board signed the following items:

- Abatement for W&E Franks Trustee for map 17 lot 17-20 for property located at 70 Holland Trail in the amount of \$837.43
- Abatement for Howard Clement for map 17 lot 3-12 for property located at 33 Tamarack Road in the amount of \$212.91.
- Letter to Claudia Arnett Steinbrecher regarding her concerns with the Thornton Bluff site plan application.

### **Action Folder**

#### *Minutes*

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

**12:39 p.m. Selectman Benton motioned to accept the public minutes of 10-31-12 as amended. Seconded by Selectwoman Peabody. Motion passed 4-0.**

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

**12:40 p.m. Selectman Morton motioned to accept the non-public minutes of 10-31-12 as submitted. Selectwoman Peabody seconded. Motion passed 4-0.**

#### *Grafton Country Superior Court*

Vice chairman Sabourn stated that an Order of Notice was received from the superior court for case name, Harold A. Cinnamon v Town of Thornton et al. Ms. Beaulieu informed the board that Attorney Mark Broth has requested a continuance, which was approved by the courts and the town will receive notification of the date.

#### *Concern Citizen Issue – Election Process*

The board reviewed a concerned citizen complaint from resident, Sandra Crisp, regarding her concern of a lack of respect that was displayed by a ballot clerk. Ms. Beaulieu explained that she has spoken to Ms. Crisp, whom was very upset, and suggested a solution to address the problem. The board agreed that they would improve the location and size of the sign stating that voter ID's were required and that a response letter would be sent to Ms. Crisp. Mr. Sabourn suggested changing the doorway as part of the future town hall renovations. The board discussed scheduling suggestions for ballot clerks to stagger hours and to try to recruit additional residents for ballot clerk for future voting. Ms. Beaulieu will look into the requirements for clerks.

#### *Mill Brook – Letter of Deficiency for the Mill Brook Dry Hydrant and Flooding Issues*

The board reviewed a letter of deficiency for the Mill Brook cistern that was sent from the State to Daniel Kindlon and Carlton Kilmer. Selectman Morton stated that after speaking with Jeff Blecharczyk from DES, it appears that the town will not be granted an expedited permit for the work that they plan to do to correct the banking of the Mill Brook as a result of Hurricane Sandy. Selectman Morton stated that funding for technical assistance may be available since the flooding occurred from Hurricane Sandy. Selectman Morton will follow up and see if there is an opportunity for assistance. The board agreed to have Selectman Morton look into this more.

### *Sample Form Letter – Road Agent*

Road Agent Kubik submitted a sample form letter to be used for failed private driveway culvert situations and would like to know if the selectmen would allow him to send these letters out when a private culvert has failed rather than having the selectmen address the situations during a meeting. The board discussed that the town administrator is listed as the contact person for additional questions, and agreed that the town administrator could inform the selectmen of any problems if needed. The board agreed with this process. Discussion continued on the failed culvert on Mt. Woodlands road that has partially collapsed. After inspecting the culvert, the board agreed that they are not responsible for the culvert deficiencies or collapse and agreed that the problem with the culvert is causing the water to back up and cross the street causing erosion downhill. Since the culvert is across a private drive, rather than a public road, the town cannot expend funds to repair the culvert. The board agreed to have the road agent send a letter of deficiency to the property owner, with the understanding that it needs to be fixed before winter. They further agreed that if it is not fixed in a timely manner then the highway department will fix it and invoice the property owner for the expense. Sabourn stated that the letter should include the RSA that grants the town permission to do this for the property owner's reference.

### *Zoning Compliance Form-Enforcement Update*

The board reviewed the ZCA and Enforcement packet from Nancy Decoteau as follows:

- ZCA application from Richard and Jane Parent – 19 Rainbow Lane, Thornton, map 11 lot 1-53 for building a 2 story addition on an existing 13x60 foundation.

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

**1:05 p.m. Selectman Morton motioned to approve ZCA # 2012-32 for Richard and Jane Parent at map 11 lot 1-53. Seconded by Selectman Benton. Motion passed 4-0.**

### *Follow up on Pending Enforcement Items*

Ms. Decoteau submitted a list of pending issues as follows:

- A letter was sent to Invernizzi in regards to Map 13 lot 11-5 requesting that the property owner submit a ZCA for unpermitted new construction. Ms. Beaulieu asked the assessor to contact the property owner to perform an interior inspection. There has been no response received to date.
- The board discussed the previous letter that was received from the Fire Chief regarding a concern about a deck without railings at the Crowley property located on map 10 lot 15-1. The board agreed that the fire chief should follow up with this issue if it is a life-safety issue, but it is not a building issue for the town to enforce.
- The board discussed the enforcement letter that was mailed to Mr. McDonald regarding a new camper/trailer that was setup in place of the existing one, which is still located on the property. The board agreed to resend the letter as certified. The board also agreed that enforcement requests will be made in writing and sent via mail, if the request has not been honored then the board will follow up with a certified letter.

*Tax Warrant*

The board reviewed the Tax Collector's Warrant in the amount of \$3,698,275.82. The 2012 tax rate is \$18.32 per thousand.

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

**1:12 p.m. Selectwoman Peabody motioned that the board approve the Tax Collector's Warrant for the amount of \$3,698,275.82 and with the interest of 12% if not received by December 17. Seconded by Selectman Morton. Motion passed 4-0.**

*Capital Reserve - Bridge Repairs and Maintenance*

The board reviewed and approved a letter to the Trustee of Trust Fund requesting funds to be withdrawn from the Capital Reserve Fund and a check to be made payable to the Town of Thornton to cover H.E. Bergeron Engineers for professional services regarding Covered Bridge Road Bridge over Mill Brook in the amount of \$680.23.

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

**1:20 p.m. Selectman Morton motioned to approve withdrawing \$680.23 from the bridge capital reserve account for professional services for Covered Bridge Road bridge. Seconded by Selectwoman Peabody. Motion passed 4-0.**

*Rescheduled FEMA Meeting – Covered Bridge Road Bridge*

Ms. Beaulieu informed the board that she was able to schedule Chuck Henderson from Senator Shaheen's office to attend the meeting that was scheduled for tomorrow; however, FEMA has asked to reschedule the meeting. Ms. Fleury has confirmed that the meeting has been rescheduled to Monday, November 19, 2012 at 10:00 a.m. at the bridge. Ms. Beaulieu asked the board members if three or more were planning to attend to let her know so that she could post the meeting.

*Intent to Cut*

The selectmen reviewed an intent to cut application for Ralph and Ruth Bradley, map 3 and lot 4-10.

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

**1:23 p.m. Selectwoman Peabody motioned to approve the intent to cut for Ralph and Ruth Bradey, at map 3-4-10. Seconded by Selectman Benton. Motion passed 4-0.**

*Corrective Deed with no covenants*

The board reviewed a corrective deed with no covenants from the town to Mae Silva and Roberta Beaudry for map 11 lot 1-261 located a 51 Mountain River East U61. Selectman Sabourn explained the reason the town is deeding the property back in joint tenancy. The town is granting them a corrective deed to assist them with probate issues. There is no cost applicable to the town and all fees are the responsibility of Mrs. Roberta Beaudry.

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

**1:26 p.m. Selectman Morton motioned to approve the corrective deed with no conventions to Mae Silva and Roberta Beaudry for map 11 lot 1-261 from the Town of Thornton. Seconded by Selectwoman Peabody. Motion passed 4-0.**

## **Selectmen Business**

### *Selectwoman Peabody*

Ms. Peabody informed the board that the beautification committee met Monday night and would like to know if the letter that Joel Freeman wrote to the Record Enterprise, mentioning the volunteer work for the town hall grounds, could be placed on the town website. The board discussed her request and agreed that they can place their own notice on the website thanking the individuals for their donation of time, labor, materials and equipment.

The beautification committee has also requested to have a line item in the budget for 2012 and proposed an amount of \$500. The board agreed that they will discuss this request during the budget meetings. The committee also discussed the selectmen's request for a beautification committee report for the annual town report. The committee would prefer not to submit a report. They asked if the selectmen could include the information in their own report. Selectman Sabourn feels that it would be a nice addition to the town report if the beautification committee could include their own report. Selectwoman Peabody agreed to ask the committee again.

The committee thanked Brad Benton for the spot light for the sign. Gloria Kimball is working to get a donation for a real tree for the area next to the police department sign. She is also looking into solar lights for the outside and Tim Tyler mentioned a cocoa lighting of the tree. The board is pleased with all the work and is happy that the washout area of the lawn has been fixed. Selectman Morton stated that he and Dan Lundee did some patching and John Kubik did as well on his own time.

### *Selectman Morton*

Selectman Morton stated that the two mobile homes at Pemi River Campground have been moved as requested, but he is not sure where they have been moved to. Selectman Sabourn is concerned that they may still be in the flood zone. The board agreed to follow up on site to make sure they are not in the flood zone and to have the town administrator follow up with Ms. Decoteau.

### *Selectman Sabourn*

Mr. Sabourn stated that he had contacted the Police Department and made a complaint to Sergeant Diamond regarding people driving very fast on Gore Road. Mr. Sabourn reported that the police department was very responsive, has been patrolling the area and has made a difference in the speed on the road.

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

**1:40 p.m. Selectman Morton motioned to enter non-public under RSA 91A, 3 II (a, personnel, b, hiring). Seconded by Selectwoman Peabody. Roll call, Vice-chairman Sabourn – yes, Selectman Benton – yes, Selectman Morton- yes, Selectwoman Peabody – yes. Motion passed 4-0.**

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

**2:20 p.m. Selectman Morton motioned to come out of non-public. Seconded by Selectman Benton. Motion passed 5-0.**

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

2:21 p.m. Selectman Sabourn motioned to accept the welfare manifest for check date 11-16-12 in the amount of \$99.22. Seconded by Selectman Benton. Motion passed 3-0-1. Selectwoman Peabody abstained.

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

2:22 p.m. Selectwoman Peabody motioned to adjourn. Seconded by Selectman Morton. Motion passed 4-0.

Respectfully submitted,



Jessi Fleury  
Board Secretary  
Draft posted 11/20/2012

**TOWN OF THORNTON**  
**Selectmen's Agenda**  
**November 14, 2012**  
**10:00 AM**

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)

11:00 CIP Reserve funding for 2013 budget  
12:00 Mr & Mrs Tole- road/rock wall discussion  
12:15 PD- State of NH equipment grant \$2,500

Action Folder (no public input)

Board of Selectmen Item Discussions (no public input)

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

**Non-public session pursuant to RSA 91-A: 3, II**

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.

# Board of Selectmen

November 14, 2012

10:00 a.m.

Sign In Sheet

**PLEASE PRINT YOUR NAME AND A**

**ADDRESS.**

Thank you!

1. John J. Bennett 76 Fadden Rd.
2. Margaret Gale 19 Mount Woodlands
3. Bob Gale 19 Mount Woodlands
4. \_\_\_\_\_
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