

TOWN OF THORNTON BOARD OF SELECTMEN MEETING MINUTES
Meeting Date: December 12, 2012

Binder
[Signature]

APPROVED

The Board of Selectmen met and held a public meeting on
Wednesday, December 12, 2012 5:00 p.m. at the Thornton Town Hall.

5:00 p.m. Vice chairman Sabourn opened the meeting with the flag salute and began the work session.

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

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

Vendor Manifest

****Motion****

5:45 p.m. Selectman Benton motioned to approve the vendor manifest dated 12-14-12 in the amount of \$821,705.56. Seconded by Selectman Morton. Motion passed 4-0-1 Burbank abstained.

Payroll Manifest

****Motion****

5:46 p.m. Selectman Sabourn motioned to accept the payroll manifest dated 12-14-12 in the amount of \$29,399.34. Seconded by Selectman Morton. Motion passed 4-0-1. Chairman Burbank abstained.

Public Forum

Beverly Chappell

Beverly Chappell publicly asked Selectman Benton to refrain from waving at her and her husband, and parking in front of her house as she feels this is done to antagonize her. Selectman Benton denied parking in front of her house and agreed that he would not wave to her or her husband anymore.

Jim Demeritt

Mr. Demeritt informed the board that the fire department had their Christmas party Saturday night and the awards banquet at the Tavern, and everyone had a good time.

Mr. Demeritt also informed the board that the rubble on the bank of the Millbrook has been removed. He mentioned that Deachman and Cowie has sent a response letter to NHDES referencing the dry hydrant issue and asked if the selectboard would like a copy of the letter. The board agreed that they do not require a copy of the letter since this is an issue of a homeowner/association rather than the town and that the state had sent them a copy of their initial letter relating to the dry hydrant only as an informational copy. The board agreed that they appreciate the verbal updates from Mr. Demeritt.

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Action Folder/Signature Folder

NRCS

Selectman Morton explained to the selectboard that Jeff Tenley, Civil Engineer from NRCS determined that the Town does not qualify to receive EWP funds for the bank repair of the Millbrook next to Haselton Road due to his determination that there is no danger to infrastructure downstream from the damage at this site and the cost of repairs to fix the banking exceeding the estimated cost to repair damage if the Millbrook should breach again. Selectman Morton has responded in writing to Jade Nield, State Conservation Engineer at NRCS to ask questions regarding information that Jeff Tenley referenced in his report and to address statements that Mr. Tingle made that are related to conversations held between him, Mr. Morton, and Mrs. Nield when they were on site at Millbrook last week.

Minutes

****Motion****

5:58 p.m. Selectman Morton motioned to accept the non-public minutes of 11-14-12 as submitted. Selectwoman Peabody seconded. Motion passed 3-0-2. Vice Chairman Sabourn abstained since he assisted in writing the minutes.

****Motion****

5:59 p.m. Selectman Sabourn motioned to accept the public minutes of 11-28-12 as amended. Seconded by Selectwoman Peabody. Motion passed 4-0-1 Selectman Benton abstained since he was absent at this meeting.

Intent to Cut

The board reviewed an intent to cut for Ralph Bradley on Johnson Brook Road.

****Motion****

5:59 p.m. Selectman Morton motioned to approve the intent to cut for Ralph Bradley on PID 3/3-12 on Johnson Brook Road. Vice-chairman Sabourn seconded the motion 5-0.

Alba Architects Plans

Vice-chairman Sabourn informed the board that the building committee has met and reviewed questions and answers submitted between Alba Architects and the committee. The contract for the town hall addition has been updated as a result of this communication. The board agreed to discuss this later in the meeting during the CIP appointment.

Agenda Items: (no public input)

6:00 Conservation Commission 2013 budget request

Sally Davis met with the board to discuss the conservation budget for 2013. She discussed ideas for a mapping project that she would like to include on the webpage. Ms. Beaulieu stated that many departments have suggestions for changes to the

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webpage and she would like to hear the conservation commission's ideas as well. Ms. Beaulieu expects that many changes will be made to the website in 2013. Once the commission's suggestions are submitted, the Town Administrator can provide a cost estimate for the budget. Ms. Davis confirmed that she is requesting the same budget amount as last year as well as the additional cost for the website which will be addressed later.

ZCA

The board reviewed Zoning Compliance Application forms, background information and recommendations from Nancy Decoteau.

****Motion****

6:11 p.m. Selectman Morton motioned to approve the ZCA # 2012-36 for PID 6/9-14 for Christine Cherry for a one story detached garage. Selectman Benton seconded. Motion passed 5-0.

The board reviewed ZCA #2012-37 for Shirley Benton and referenced the plan submitted to the planning board from Shirley Benton for 11/1-3. This plan was recommended for approval with conditions from Ms. Decoteau. The applicant went through site plan review with the planning board and the plan was approved with conditions that included meeting all conditions required by the NH-DOT to receive a driveway permit and to meet any conditions requested by the Thornton Fire Chief. Ms. Decoteau confirmed that all conditions have been met. The plan was not signed by the planning board chairman since this site plan review was approved during the transition of the chairman and planning department staff. The site plan is documented as being approved in the minutes and the plan will be signed at the next planning board meeting.

****Motion****

6:13 p.m. Selectman Morton motioned to approve the ZCA # 2012-37 for Shirley Benton PID 11/1-3 for two 2-bedroom units. Seconded by Selectwoman Peabody. Motion passed 5-0.

6:15 Cemetery 2013 budget request

Town Administrator Beaulieu presented the 2013 cemetery budget on behalf of Phyllis Holbrook since she was not able to attend. This year will level fund at \$24,500. The board reviewed the budget.

Welfare Budget

Marianne Peabody addressed the board. The board reviewed the budget. After discussion, the board agreed with the \$35,284.00 as proposed.

6:30 CIP Committee

Present: Giff Kriebel, Cindy Schofield, Lou Klotz, Jim Demeritt, Sally Davis
Mr. Kriebel explained the CIP budget suggestions. The board reviewed the proposed budget by the CIP. The board discussed the costs anticipated in repairing/replacing the Mill Brook Bridge and the state bridge aid for 2018. Selectman Sabourn stated that

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there are other bridges in town that will need repairs in the future as well. The committee members discussed concerns of the highway department not using the funds designated to do repairs and paving on town roads. Selectman Sabourn explained that there is a new road agent and that it was too late in the season to do the additional paving work that the road agent had wanted to do. He feels that in the coming years the designated projects will be completed. The board discussed the town hall building addition and the estimated amounts needed for the Covered Bridge Road bridge replacement. After lengthy discussion, the board agreed to maintain the level of funding from last year of \$270,000. Ms. Beaulieu agreed to email Mr. Kriebel estimates for expenditures for 2013 after they meet with HEB this evening to discuss the status of the bridge repairs/replacement options. The board agreed to recommend the amount of \$270,000 consistent with last year's amount due to anticipation for an increased amount of bridge repairs in general. Discussion continued on the process for capital improvements and those that are needed in the immediate future.

Building Committee – Steve Madaglia explained that the police department building is the first priority in consideration of what was expressed at town meeting. The board and committee discussed the possibility of bonding the entire project to save money over the long-term versus phasing the project. After discussion, Mr. Kriebel agreed to do some research as to available funds for the building expenses. The board agreed that \$270,000 should be dedicated with the presumption that a portion of this amount would be used towards the bond cost if they decided to bring this option to town meeting.

7:15 *Planning Board*

Nancy Decoteau met with the board to discuss budget recommendations on behalf of the planning board. Ms. Decoteau explained that in speaking with the Town Administrator, they agreed it would make more sense to create a new account for third party reviews requested by the planning board which will show as an increase in the budget but will be offset by revenue since the applicant will pay for these costs and will not affect the tax rate. Ms. Beaulieu stated that in order for this to work properly, the planning board has to make sure the funds are collected from the applicant. Ms. Decoteau agreed.

The board discussed reducing the amount of the Capital Improvement fund to \$1.00.

The board agreed to cut \$1,000 from the master plan amount since the majority of the work has been completed in 2012, and decrease \$800 from the operating expense

7:45 *Zoning Board of Adjustments*

Ms. Decoteau and Mr. Kriebel discussed the budget recommendations from the zoning board.

8:00 *Chris Fournier- HEB – Mill Brook Covered Bridge*

Mr. Fournier met with the selectmen to discuss the results of the meeting with FEMA at the bridge site to determine eligibility for this project as well as other aspects of the project.

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Mr. Fournier explained that the hydraulic assessment of the bridge structure was provided electronically earlier to the board. The existing bridge has too small of an opening to pass the 50 year storm event and greater which explains the trouble during TS Irene. The velocity of the water moving through and the scour potential at the site is in excess of 10 feet which can cause additional problems beyond those that have already been seen. One solution could be a 40 foot span bridge and raising the road 2 feet as well to allow proper water passage. The board discussed the current length of the bridge being too short and too low. The hydraulic report includes all of this data.

Mr. Fournier explained the hydraulic design phase is part of the permanent solution and part of the state bridge aid program which reimburses 80% of production of the engineering report and future design services for replacement of the bridge. It was discussed that the upfront costs would be the responsibility of the town, and it could be years before the state bridge aid program reimbursed the engineering costs for the work and bidding for the replacement of the bridge. NHDOT would also reimburse half for construction of the bridge in 2018 but the town would have to pay these costs ahead of time. Mr. Fournier stated that the replacement bridge could cost about \$500,000 and he estimates engineering costs to be about \$80,000.

The funding determination phase that they have been working on has been put on hold due to FEMA being uncertain what funding the town will receive, if any. Mr. Fournier explained that the new FEMA representative finds a lot less damage than the original amount determined from FEMA and he feels that the amount of funding that FEMA will offer will be to repair the rip rap around the bridge in the amount of about \$10,000 to \$20,000. Mr. Fournier stated that he understands their rules but does not agree with FEMA's thought processes or their assessment report and it is the town's decision how far they want to appeal the decision. Mr. Fournier explained that FEMA claimed that the town had not taken measures to repair the bridge after TS Irene. He provided a timeline indicating several steps the town made over a length of time to repair the bridge. The board discussed the appeal process and the expected cost of \$10,000 for HEB to appeal FEMA's decision. Selectman Sabourn does not feel that the town should spend these funds appealing FEMA's decision since he does not believe that FEMA will change their mind.

Mr. Fournier stated that the board could appeal through a DOT issued letter to FEMA stating that the bridge was damaged and cannot be repaired and must be replaced. The cost for this option was discussed. Mr. Fournier explained that the \$3,000 included in the revised contract before the board tonight, would include the research of background information to provide to DOT for the appeal letter. The board agreed that they have no objection in appealing through DOT since the cost would be minimal. The intention of the \$3,000 contract is to do a small amount of work and then meet with the board again to determine the next course of action.

The board discussed completing the engineer design phase since the bridge will have to be repaired or replaced in the near future. The expected amount for a design for

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bridge replacement is about \$80,000. One benefit is that the engineering would cost less than if it was done five years later. The reimbursement to the town, by the state, would not take place until the construction process begins. Wetland permits are valid for 5 years. The board discussed the process for obtaining a wetlands permit and the time frame involved so that the permits would not expire. Mr. Fournier agreed that the bridge design construction plans would be good for at least 5 years. The board continued to discuss the funding concerns of the bridge and agreed to move forward with the bridge design. Chairman Burbank signed the revised contract for an additional \$3000 which covers the background information for DOT to send a letter to FEMA asking for reconsideration of their decision regarding funding for the repair/replacement of the bridge.

****Motion****

8:52 p.m. Selectman Sabourn motioned to accept the second contract amendment for project #2012-072/002A for HEB Engineers in the amount of \$3,000 to include the background information for DOT to respond to FEMA's new determination and to receive a proposal for the bridge design phase. Seconded by Selectwoman Peabody. Motion passed 5-0.

Mr. Fournier explained that the \$3,000 amount also includes minimal amount of correspondence with Senator Shaheen's office since the senator has some concerns with the treatment of municipalities and with Thornton in particular. The board thanked Mr. Fournier for his attendance at the meeting.

****Motion****

9:05 p.m. Selectman Sabourn motioned to approve the contract between Alba Architects LLP and the Town as revised and presented for signature in the amount of \$34,005 for sections 3.1 through 3.4, \$14,795, for sections 3.5 through 3. There is also a clause for civil design work of 4,000 if it becomes necessary however this amount is not included in the above amounts. Seconded by Selectwoman Peabody. Motion passed 5-0.

Chairman Burbank signed the agreement.

Town Administrator Report

Emergency Operation Plan (EOP) Meeting

Town Administrator Beaulieu informed the board that she and Chief Moller met with EOP representatives. It was apparent during this meeting that the chairman of the selectboard will have a more involved role in the EOP.

Town Hall Building Maintenance

Ms. Beaulieu informed the board that under the procurement policy she has been requesting quotes for maintenance work that needs to be done on the building and is not receiving any interest for the job. She would like permission for Mr. Dumont to be able to fix the siding on the fire station. The board agreed that as long as she has

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diligently tried to follow the procurement policy and she is not receiving any interest then she should hire Mr. Dumont to complete this work before winter progresses.

Cable Franchise Contract

Ms. Beaulieu forwarded the proposed cable franchise contract received from Lou Klotz that he provided on Nov 19. The board discussed the contract and agreed to keep the franchise fee. Ms. Beaulieu stated that she will establish controls so that the \$2000 payment will offset invoices charged to the municipality and will verify the controls with Time Warner.

Selectmen Comments

No selectman comments.

Non-public pursuant to RSA 91-A:3, II (b-hiring & c-reputation)

****Motion****

9:22 p.m. Selectman Sabourn motioned to enter non-public under RSA 91A, 3 II (b, hiring; c, reputation). Seconded by Selectwoman Peabody. Roll call, Vice-chairman Sabourn – yes, Selectman Benton – yes, Chairman Burbank – yes, Selectman Morton- yes, Selectwoman Peabody – yes. Motion passed 5-0.

****Motion****

10:15 p.m. Vice chairman Sabourn motioned to exit non-public session. Seconded by Selectman Peabody. Motion passed 5-0.

****Motion****

10:15 p.m. Selectman Sabourn motioned to accept the non-public welfare manifest for check date 12-15-12 in the amount of \$2,172.00. Seconded by Selectman Morton. Motion passed 4-0-1. Selectwoman Peabody abstained.

The board discussed Mckivergan's letter relative to a culvert off Mt. Woodlands road. After discussion, the Town Administrator and Selectmen Morton will work with Road Agent Kubik to accurately reflect the cost items listed in the template.

****Motion****

10:12 p.m. Chairman Burbank motioned to adjourn. Selectman Sabourn seconded. Motion passed 5-0.

Respectfully submitted,



Jessi Fleury

Board Secretary

Draft posted 12/18/2012

TOWN OF THORNTON
Selectmen's Agenda
December 12, 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	Conservation Commission 2013 budget request
6:15	Cemetery 2013 budget request
6:30	CIP Committee
7:15	Planning Board
7:45	Zoning Board of Adjustments
8:00	Chris Fournier- HEB – Mill Brook Covered Bridge
8:30	Non-public pursuant to RSA 91-A:3, II (b-hiring & c-reputation)

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.

Board of Selectmen

December 12, 2012

5:00 p.m.

Sign In Sheet

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

Thank you!

1. JAMES DEMERIS 76 Fadden
2. JOHN PAUL HILLIARD 383 MILL BROOK RD.
3. Beverly Chasell
4. Sally Davis 50 Sugar Run
5. Chief Moller PD
6. Giff Kriebel RT 49
7. Lindy Schofield 21 Compton St Thimston
8. Leo Klotz Mill Brook RD
9. Mike Bentu Mill Brook Rd
10. Chris Fournier HEB Engineers
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____